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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 5759/2018**

RISHU AGGARWAL & ORS.

..... Petitioners

Through: Mr. Shiv Chopra, Advocate alongwith
petitioners in person

Versus

STATE & ORS.

..... Respondents

Through: Mr. Mukesh Kumar, APP for State with
SI Karamveer Singh

Mr. Rahul Kumar, Advocate alongwith respondent
Nos. 2 & 3 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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02.03.2020

1. The present proceedings are instituted seeking quashing of FIR No. 177/2009 under Sections 363/34 IPC registered at Police Station Crime Branch, Delhi on the ground of settlement having been arrived at between the parties.
2. As per the case of the prosecution, the present FIR has been registered by the respondents against the petitioners who took away respondent No. 3 (son of respondent No. 2) from his lawful guardianship due to certain financial disputes.
3. Learned APP for the State, on instructions, submits that initially the charge was framed under Section 363A and in revision, the charge under Section 363A was set aside and the trial is pending under Section 363 IPC.

4. Learned counsel for the petitioners submits that the parties have entered into a settlement vide compromise deeds dated 20.12.2013 & 17.04.2014. Copies of the same are annexed with the petition. In terms of the settlement, respondent Nos. 2 & 3 are now left with no claim whatsoever against the petitioners.

5. The petitioners and respondent nos.2 & 3 who are present in person are identified by their respective counsels as well as by the Investigating Officer.

6. Respondent nos. 2 & 3 state that they have entered into the settlement with the petitioners out of their own free will, volition and without any undue force, pressure or coercion. They further state that they have no objection if the present FIR and consequent proceedings are quashed.

7. Learned counsels for the parties submit that no other proceedings are pending between the parties.

8. The parties shall remain bound by their statements made in Court today.

9. In view of the settlement arrived at between the parties voluntarily, in my view, no useful purpose will be served in continuance of the present criminal proceedings. Accordingly, in the interest of justice, aforesaid FIR and the consequent proceedings emanating therefrom are hereby quashed, subject to costs of Rs.10,000/- each to be deposited with '*Delhi High Court Legal Services Committee*' by the petitioners within a period of two weeks from today. Receipt evidencing deposit of costs be filed in the Registry as well as with the Investigating Officer.

10. With the above directions, the petition is disposed of.
11. Order *dasti* to the counsels for the parties.

MANOJ KUMAR OHRI, J

MARCH 02, 2020/p'ma