



\$~15

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

+ **CRL.M.C. 1032/2022**

SH. CHIRAGUDDIN QURESHI & ANR. Petitioners

Through: **Mr.Mohit Gupta & Ms.Aayushi Jain, Advs.**

versus

THE STATE & ORS. Respondents

Through: **Mr.Shoaib Haider, APP with SI Vikas Rathi, PS Sadar Bazar.**

Ms.Sonika Tyagi, Adv. for R-2 to R-4 along with R-2 to R-4 present in person

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

25.01.2024

%

1. This petition has been filed seeking quashing of FIR No. 0101/2018 registered with Police Station: Sadar Bazar under Sections 324/341/506/34 of the Indian Penal Code, 1860 (in short, 'IPC'), based on a purported settlement arrived at between the petitioners and respondent nos.2 to 4, wherein allegedly respondent nos.2 to 4 had agreed to withdraw their complaint against the petitioners by executing a joint application, which appears at annexure P-5 (Colly.) to this petition.

2. On 20.09.2022, this Court passed the following order:-

"This is a petition filed seeking quashing of the FIR No. 101/2018 dated 25.05.2018 registered at PS Sadar Bazar under Section 324/341/506/34 IPC.

Mr. Gupta, learned counsel for the petitioner states that quashing petition is



based upon the settlement dated 10.01.2020, wherein the complainant i.e. respondent No.4 had settled the matter and undertaken to give No Objection for quashing of the FIR. It is also stated that some of the signatures are forged and fabricated on the settlement.

Mr. Gupta, learned counsel shall hand over the original settlement to the I.O. concerned, who shall obtain opinion of the hand writing expert with regard to the signatures of the respondents appearing on the memorandum of settlement.

In the meanwhile, the learned counsel for the respondent may file a response, if any. The report shall be obtained by the Truth Labs, Delhi which is an affiliated lab for forensic examinations. The costs of obtaining the opinion shall be borne by the petitioners and respondents in equal proportion.

The report shall be placed on record before the next date of hearing.

List on 19.12.2022.”

3. Thereafter, a report dated 23.12.2022 has been received from the Truth Labs Forensic Services, which states that the signatures on the Settlement Agreement matched with the specimen signatures of the respondent nos.2 to 4. By the order dated 08.01.2024, therefore, respondent nos.2 to 4 were directed to remain personally present in Court.

4. Today, respondent nos.3 and 4 admit that the signatures on the Settlement Agreement are theirs, while, respondent no.2 still maintains that the signatures on the document are not his.

5. As the present petition has been filed based on the purported Settlement Agreement arrived in the form of a joint application annexed as annexure P-5 (Colly.) to the present petition, on which one



of the respondent/complainant is now disputing his signatures, the present petition cannot be allowed. This shall, however, be without prejudice to the rights and contention of the petitioners, including initiating any action based on the purported Settlement Agreement, on which respondent nos. 3 and 4 now admit their signatures.

6. The petition is disposed of in the above terms.

NAVIN CHAWLA, J

JANUARY 25, 2024/rv/am

[Click here to check corrigendum, if any](#)