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

+ **CRL.M.C. 4951/2024**

RAJENDRA PRASAD BAJPAYEE

.....Petitioner

Through: Mr. Atul Verma, Advocate.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Hitesh Vali, APP for State with SI,
Satish Kumar, PS: Lajpat Nagar.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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03.07.2024

CRL.M.A. 18942/2024 (Exemption)

1. Exemption allowed subject to just exceptions.
2. Accordingly, application stands disposed of.

CRL.M.C. 4951/2024

1. This petition has been filed seeking quashing of FIR No.320/2015 on the basis of settlement arrived at between the partes dated 21st November, 2023 which is placed on record. The said FIR was registered under Sections 406 Of IPC & Section 4 of Dowry Prohibition Act, 1961 registered at PS Lajpat Nagar.
2. Petitioner no.1, respondent no.2 and respondent no.3 are present in Court and are duly identified by the IO and the respective counsel.
3. Petitioner no.2 is the father of petitioner no.1 and being a senior citizen is exempted from appearance.



4. As per the settlement executed between the parties which was facilitated through the Mediation Centre, Saket Court, it is agreed that petitioner will pay a sum of Rs. 50,000/- to the respondent no.2 and 3 as full and final settlement; the said amount has been duly received and duly acknowledged.
5. As per para 5 of the settlement, petitioner no.2 is to withdraw the case filed against the complainant under Section 138 of the Negotiable Instruments Act. The FIR is being quashed subject to the said condition being complied with by respondent no.2. Respondent no. 1 who is present in Court assures that the same shall be done within a period of one month. Counsel for petitioner states that the matter is listed for withdrawal on 30th July, 2024, before the Trial Court.
6. Considering the above settlement between the parties and the chances of conviction of the petitioners being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Accordingly, the petition is allowed. Consequently, the FIR No. 320/2015 under Sections 406 Of IPC & Section 4 of Dowry Prohibition Act, 1961 registered at PS Lajpat Nagar and proceedings emanating therefrom are quashed.
7. Parties shall abide by the terms of settlement.
8. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.
9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JULY 3, 2024/RK