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

+ **CRL.M.C. 6614/2024**

JAI PRAKASH & ANR.

.....Petitioners

Through: Mr. R.C. Tiwari and Ms. Suman
Sharma, Advocates.

versus

THE STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Ms. Richa Dhawan, APP for the State
with SI Sachin Panwar, PS Fatehpur
Beri.

Mr. Raghvender Singh, Advocate.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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23.08.2024

CRL.M.A. 25252/2024 (Exemption)

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

CRL.M.C. 6614/2024 (under Section 528 of B.N.S.S. filed by the petitioner for quashing of FIR No. 272/2016)

3. The Petition under Section 528 of B.N.S.S. has been filed on behalf of the petitioner for quashing of FIR No. 272/2016 for the offence under Sections 420/467/468/471/120B of the Indian Penal Code (*hereinafter referred to as 'IPC, 1860'*) registered at Police Station Fateh Pur Beri.
4. Issue Notice.
5. Ms. Richa Dhawan, learned APP accepts notice on behalf of the State.
6. It is submitted that there were three accused. However, one accused



Mehar Chand had died and the present Petition has been filed by the two accused. The respondent No. 2/complainant purchased some land at Village Safipur Noida, which was sold by him in 2005. The accused persons were known to the complainant. On December, 2006, the accused persons asked the complainant to purchase the said plot. The accused showed the documents related to the said plot. After seeing the said documents, the complainant became ready to purchase the said plot. On 04.12.2006, the accused persons brought the complainant to Mehrauli Tehsil where all the documents pertaining to the transfer of the said plot had already been prepared and Smt. Sushila Devi, who is the owner of the said property, was supposed to come but she did not come. The accused persons insisted to handover the consideration amount of Rs.62,00,000/- to them and assured the complainant that they obtained the signatures of the owner and also handed over the possession of the said plot to the complainant. On the next day, the accused persons have handed over the transfer documents and physical possession of the said plot to the complainant. It is submitted that as per the documents, the said plot comes under Khasra No. 1354 and plot No. 261-262. Thereafter, complainant got to know that Khasra No. 1754 and Plot No. 261 belong to one Shankar Lal s/o Babu and plot No. 262 belonged to Dharambir. The accused persons provided the forged documents of Khasra No. 1854. The accused persons prepared the forged documents to Plot No. 261-262 and sold the said plot to the complainant and took the hard earning of the complainant. The accused persons threatened the complainant/respondent No. 2. It is explained that earlier also, a Petition for quashing was filed before this Court, which was withdrawn on 05.04.2019 as at that time, the police had given a statement that they would not be filing



any challan in the Court. It is further submitted that there was a property dispute and Rs.64,00,000/- was paid to one Smt. Sushila Devi, who is not traceable. No document alleged to have been executed by her, could be verified by FSL as her signatures were not available. Hence, the present Petition has been filed.

7. On the complaint of respondent No. 2, FIR No. 272/2016 for the offence under Sections 420/467/468/471/120B of the IPC, has been registered at Police Station Fateh Pur Beri.

8. It has been submitted that with the intervention of the common friends, the matter has been amicably settled between the respondent No.2/complainant and the accused persons. The Settlement/Compromise Deed dated 16.08.2024, is already on record. Both the parties were known to each other prior to the incident as they were working in the connected projects and now both have decided to resolve their disputes amicably. As per the Settlement, the complainant agrees to withdraw his allegation against the petitioners. A request for quashing of the FIR has been made on account of the Settlement *inter se* the parties. In view of the settlement, the present Petition has been filed.

9. The parties are present in the Court in person and have been identified by their counsel and Investigating Officer concerned. The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily.

10. Today, the complainant, who is present in Court, states that he has no objection, if the FIR is quashed.

11. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion. Hence, it would be in the interest of justice, to quash the abovementioned FIR and



the proceedings pursuant thereto. Moreover, there is no legal impediment in quashing the FIR in question.

12. Accordingly, FIR No. 272/2016 for the offence under Sections 420/467/468/471/120B of the IPC, registered at Police Station Fateh Pur Beri and all consequential proceedings emanating therefrom are quashed.

13. The Petition stands disposed of accordingly.

NEENA BANSAL KRISHNA, J

AUGUST 23, 2024/RS