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

+ **W.P.(CRL) 3731/2023**

MAHENDER PAL. & ORS.

.....Petitioners

Through: Ms. Vrinda Parashar, Mr. Lal Singh Thakur, Mr. Rachit, Mr. Rakesh Kr. Solanki, Mr. Sudhir Tewatia, Mr. Hemant Kapoor, Ms. Sakshi Verma, Advocates with petitioners.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjeev Bhandari, ASC for the State.
Mr. Vishal and Ms. Mayuri Luthra, Advocates for R2 with R2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

24.07.2024

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1. The present Petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'Cr.P.C.'*) has been filed on behalf of the petitioners and the respondent No. 2 seeking quashing of FIR No. 0463/2023 registered at Police Station Palam Village, South West Delhi, for offences punishable under Sections 448/380/506/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*)
2. Issue notice.
3. Mr. Sanjeev Bhandari, learned ASC accepts notice on behalf of the



State.

4. Briefly stated, the petitioners are law abiding and peace loving citizens and never involved in any criminal case. Since 2008 till 07.12.2023, petitioners were in the possession of the property bearing No. B-209, Dwarka, Sector-8, New Delhi. On the complaint of respondent No.2, the police officials of Police Station Palam Village, registered the aforesaid FIR on 06.09.2023 and arrested the petitioner Nos. 1 and 2. Thereafter, the wife of the petitioner No. 1 had filed a civil suit bearing No. 1303/2023 titled as '*Maya Devi vs. Harish Sachdeva & Ors.*'. On 16.10.2023, the Hon'ble Court has granted the interim injunction in favour of the wife of the petitioner No. 1 and the petitioner Nos. 1 and 2 moved an application for seeking Regular Bail in the present FIR. On 26.10.2023, the Court granted the Regular Bail to them. The petitioner No. 3 has also approached the Court seeking Anticipatory Bail and the same was allowed.

5. It has been submitted that due to intervention of some respectable members of the society, the matter has been amicably settled between the complainant and the petitioners, out of the court. As per the terms and conditions of the settlement, the petitioners had agreed to vacate the suit property with undertaking given by the respondent No. 2, to pay a sum of Rs.5,00,000/-, to the petitioners, at the time of taking physical possession of the suit property; the physical possession of the suit property will be handed over by the petitioners to the respondent No. 2, on 07.12.2023. As per the terms and conditions, on 02.12.2023, the wife of the petitioner No. 1 had withdrawn the civil suit bearing No. 1303/2023.

6. A request for quashing of the aforesaid FIR, has been made on account of the Settlement *inter se* the parties. In view of the settlement, the



present Petition has been filed.

7. 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.

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

9. 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.

10. Accordingly, FIR bearing No. 0463/2023, registered at Police Station Palam Village, South West Delhi, for the offences punishable under Sections 448/380/506/34 of the IPC and all consequential proceedings emanating therefrom are quashed.

11. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 24, 2024/RS