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

+ **W.P.(CRL) 2749/2024 CRL.M.A. 26964/2024**

DEVENDER SHARMA

.....Petitioner

Through: Mr. Shivam Tyagi, Advocate along
with petitioner.

versus

STATE NCT OF DELHI AND ORS

.....Respondent

Through: Mr. Sanjay Lao, Standing counsel for
State with ASI Sanjeev, PS: Jyoti
Nagar.

Mr. Ashish Negi, Ms. Manshi Joshi,
Mr. Satish Kumar Sharma, Advocates
for respondent.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

06.09.2024

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CRL.M.A. 26965/2024(Exemption)

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

W.P.(CRL) 2749/2024

1. This petition has been filed seeking quashing of FIR no. 0914/2022 registered at PS Jyoti Nagar, Delhi under Sections 420, 467, 468, 471, 448, 120B IPC *qua* the petitioner on the basis of settlement arrived at between the parties before the Court of ASJ Shahadra Court, Karkardooma Courts in CS no. 438/2020, where an application under Order XXIII Rule 3 CPC was filed by respondent no.2 (*plaintiff therein*) and petitioner (*defendant therein*) for a



consent decree, in which terms of the settlement are encapsulated. The application was allowed and 16th May, 2024, decree was passed in terms of the said settlement.

2. Accordingly, Mr. Manoj Bansal, authorized representative of respondent no.2 company is present in Court and is duly identified by his counsel and states that he has no objection to the quashing of the FIR *qua* the petitioner.

3. The other co-accused is arrayed as respondent no.3 *qua* whom there is no settlement.

4. Petitioner is also present in Court and duly identified by IO and his counsel.

5. 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.

6. Consequently, the FIR No. 0914/2022 under Sections 420, 467, 468, 471, 448, 120B IPC registered at PS Jyoti Nagar, Delhi and proceedings emanating therefrom are quashed *qua* the petitioner.

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

SEPTEMBER 6, 2024/RK