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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4820/2017**

SADAT MASOOD & ORS

.....Petitioners

Through: Mr.Mohan Singh and Mr.A.Rohen
Singh, Advocates for the petitioners

versus

THE STATE GOVT OF NCT OF DELHI & ANRRespondents

Through: Mr.Pradeep Gahlot, APP for the State
with Inspector Sanjeev Kumar, PS
Spl.Cell.
Kr.Nirmala, Advocate for
Complainant with complainant in
person through VC

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

08.08.2024

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1. This present petition under Section 482 Cr.P.C. has been filed on behalf of the petitioners seeking quashing of FIR No. 139/2004 under Sections 419/420/468/120B IPC registered at Police Station Special Cell, Lodhi Colony, on the basis of a settlement dated 2.11.2017, arrived at between the parties, which is on record of this Court and annexed as Annexure P-2 to the petition.
2. As per the settlement an amount of Rs.13,50,000/- was to be paid to the respondent No.2/complainant, which has been received by him.
3. Respondent No.2 appears through VC and confirms the same, as also by the counsel appearing on behalf of the respondent No.2.



4. It is further submitted by the learned counsel appearing on behalf of the petitioners that the main accused Mohd. Shahid Khan has passed away.
5. As regards the petitioner, he is not available in Court considering he is diagnosed with cancer and is undergoing treatment.
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.
7. Accordingly, the petition is allowed. Consequently, FIR No. 139/2004 under Sections 419/420/468/120B IPC registered at Police Station Special Cell, Lodhi Colony and proceedings emanating therefrom are quashed.
8. Parties shall abide by the terms of settlement.
9. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.
10. Order be uploaded on the website of this Court.

ANISH DAYAL, J

AUGUST 8, 2024
SV/na