

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

CRL.M.C.No.2846/2008

%

Date of Decision: 29.08.2008

Hari Om Bhatia & Others

.... Petitioners

Through Mr.Arun Arora, Advocate.

Versus

State of NCT Delhi and Another

.... Respondent

Through Mr.R.N. Vats, APP for the State.
Mr.Sanjeev Singh, Advocate for
respondent No.2 along with
Mr.Anupam Mehndi, Sr. Executive of
respondent No.2 company

CORAM:

HON'BLE MR. JUSTICE ANIL KUMAR

- | | | |
|----|---|-----|
| 1. | Whether reporters of Local papers may be allowed to see the judgment? | YES |
| 2. | To be referred to the reporter or not? | NO |
| 3. | Whether the judgment should be reported in the Digest? | NO |

ANIL KUMAR, J.

*

Crl.M.A. No.10401/2008

Allowed, subject to just exceptions.

The application is allowed.

CRL.M.C.No.2846/2008

This is a petition under Section 482 of Criminal Procedure Code seeking quashing of FIR No.245 of 2003 dated 12.03.2003 under

Sections 420/468/471/120B of Indian Penal Code registered at Police Station Lajpat Nagar.

Issue notice to respondents. Mr.Vats and Mr.Singh accept notices on behalf of respondent No.1 and respondent No.2 respectively. Learned counsel for the respondent No.2 states that Mr.Anupam Mehndi, Sr. Executive of respondent No.2, is present and an affidavit has been filed in support of the petition seeking quashing of the said FIR.

Learned counsel for the parties contend that the disputes and differences pending between the parties have been amicably resolved and the settlement agreement dated 30th April, 2005 was executed incorporating the terms of the settlement which has been complied with under which an amount of Rs.8.00 lakh was payable out of which Rs.7.91 lakh was paid by banker's cheque and the amount of Rs.9,000/- was paid in cash in satisfaction of all the claims pertaining to hire purchase agreement of respondent No.2.

In the circumstances, learned counsel for the parties contend that no useful purpose shall be served in continuing with the proceedings pursuant to FIR No.245 of 2003 dated 12.03.2003 under Sections 420/468/471/120B of Indian Penal Code registered at Police Station Lajpat Nagar. The representative of respondent No.2 states that respondent No.2 has reached a settlement without any coercion or pressure of any type from anyone and he has instructions to state that

the respondent No.2 company does not want to continue the proceedings pursuant to the above-said FIR.

Considering the facts and circumstances, it is apparent that no useful purpose shall be served in continuing with the proceedings pursuant to the FIR No.245 of 2003 dated 12.03.2003 under Sections 420/468/471/120B of Indian Penal Code registered at Police Station Lajpat Nagar against the petitioners. It shall also be in the interest of justice in case the above-said FIR and all the proceedings emanating therefrom against the petitioners are quashed. Learned Additional Public Prosecutor, Mr.Vats, has also no objection to quashing of the FIR No.245 of 2003 dated 12.03.2003 under Sections 420/468/471/120B of Indian Penal Code registered at Police Station Lajpat Nagar against the petitioners and all the proceedings emanating therefrom.

In the totality of facts and circumstances, FIR No.245 of 2003 dated 12.03.2003 under Sections 420/468/471/120B of Indian Penal Code registered at Police Station Lajpat Nagar and all the proceedings emanating therefrom against the petitioners are quashed.

The petition is disposed of.

Dasti.

August 29, 2008
'Dev'

ANIL KUMAR, J.