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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1305/2015 and CrI.M.A.No.4797/2015
VIJAY MANOCHA

..... Petitioner

Through: Mr.A.K.Babbar, Mr.Surendra Kumar,
Mr.Atul Babbar and Mr.Bharat
Tripathi, Advocates with the
petitioner in person.

versus

STATE (GOVT OF NCT OF DELHI) & ANR

..... Respondent

Through: Mr.G.M.Farooqui, APP for State with
ASI Hawa Singh, P.S. Nihal Vihar,
Delhi.
R-2/complainant in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

28.02.2017

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This is a petition under Section 482 Cr.P.C. moved on behalf of the petitioner for quashing of FIR No.0175/2015, under Section 380 IPC, registered at P.S. Nihal Vihar, Delhi.

Learned counsel for the petitioner submits that the petitioner Vijay Manocha and the respondent No.2 Mr.H.R.Manohar Sapra were having business relations prior to the registration of the present FIR. Counsel for the petitioner further submits that the petitioner financed money to the respondent No.2 and the respondent No.2 was to procure the goods and was to deal with the business transactions. He further submits that in between due to misunderstanding arisen between the parties which resulted into registration of the aforesaid FIR. Counsel further submits that the petitioner

too filed several complaints under Section 138 of N.I. Act as well as civil suits. Counsel further submits that after the registration of the FIR, the near relatives, close friends and business associates intervened and good sense prevailed upon both the parties and later on both the parties approached the Delhi High Court Mediation and Conciliation Centre for amicable settlement of their inter se disputes and the said settlement reached between the parties has been reduced into writing on 17.10.2015. Subsequently, a supplementary Memorandum of Understanding was also executed between the parties on 02.07.2016 and the matter was settled before the Court of learned Addl. District Judge (West Distt.), Tis Hazari Courts, Delhi on 12.07.2016. Counsel for the petitioner further submits that the dispute has already been settled between the parties and the same has been reduced into writing and the terms thereof have been acted upon and nothing further remains to be adjudicated between the parties, however, the present FIR is coming as a hurdle in the personal life of the petitioner and prays that the aforesaid FIR may be quashed.

The respondent No.2/complainant is present in Court today and has been identified by the Investigating Officer, ASI Hawa Singh and admits that the matter has been amicably settled between the parties and has been reduced into writing and acted upon and nothing remains to be adjudicated further. He further submits that the said settlement reached with the petitioner is voluntary and without any force, pressure or coercion and he has no objection if the FIR in question is quashed.

Looking into the above facts and circumstances of the case since the matter has been amicably settled between the parties and the same has been reduced into writing and nothing further remains to be adjudicated between

them, to have peace in the life of the parties and to meet the ends of justice, I deem it appropriate to quash the aforesaid FIR and all subsequent proceedings arising out of the same.

Consequently, FIR No.0175/2015, under Section 380 IPC, registered at P.S. Nihal Vihar, Delhi and all subsequent proceedings arising therefrom are hereby quashed. The parties shall remain bound by the terms of the settlement and shall not violate the same in any manner.

The present petition and the application are disposed of accordingly.

Copy of this order be given *dasti*, as prayed.

I.S.MEHTA, J

FEBRUARY 28, 2017

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