
(2012) 03 DEL CK 0373
In the Delhi High Court
Case No : Criminal M.C. 289 of 2012

Amit Sabharwal @ Om Prakash @ Tinku	APPELLANT
Vs	
State and Others	RESPONDENT

Date of Decision : 05-03-2012

Acts Referred:

Penal Code, 1860 (IPC) — Section 406, 420

Citation : (2012) 130 DRJ 696

Hon'ble Judges : Suresh Kait, J

Bench : Single Bench

Advocate : R.K. Giri, for the Appellant; Navin Sharma, APP for the State along with SI Deepak, P.S. Hari Nagar and Mr. Bharat Katyal, for R-2 with respondent No. 2 in person, for the Respondent

Final Decision : Disposed Off

Judgement

Suresh Kait, J.—Learned counsel for the petitioner submits that vide FIR No. 272 dated 14.06.2011, a case under Sections 420/ 406 of Indian Penal Code, was registered at P.S. Hari Nagar, Delhi against the petitioner, on the complaint of respondent No. 2. Learned counsel for the petitioners further submits that the matter has amicably been settled between the parties; and the respondent No. 2/ complainant does not wish to pursue the case further, therefore the FIR mentioned above and all emanating proceedings therefrom may be quashed.

2. Dr. Bharat Katyal, respondent No. 2, is present in person and submits that he has settled all the issues qua the aforesaid FIR and the settlement amount has been received by him, therefore, he is no more interested to pursue the case further and he has no objection if the above mentioned FIR is quashed.

3. SI Deepak, IO of the case, PS Hari Nagar is present in the Court and identified the respondent No. 2/complainant.

4. Learned APP for the State, on the other hand, submits that in this case investigation has been completed. However, the charge sheet has not yet been

filed because of the fact that respondent No. 2/complainant has amicably settled all the disputes qua the aforesaid FIR with the petitioner.

5. He further submits that in this process Government machinery has been pressed into and precious time of the Court has been consumed.

Therefore, if this court is inclined to quash the FIR, heavy costs should be imposed upon petitioners.

6. Keeping in view the settlement arrived at between the parties and the statement of the respondent No. 2, who is no more interested to pursue the case, therefore, in the interest of justice, I quash the FIR No. 272 registered at P.S. Hari Nagar, Delhi with all the proceedings emanating therefrom.

7. Though, I find force in the submissions of Id. APP, however, keeping the financial position of the petitioner, I refrain from imposing costs on him. Criminal M.C. 289/2012 is disposed of. Dasti.