
(2018) 08 DEL CK 0305

In the Delhi High Court

Case No : Criminal Miscellaneous Case No. 4193 OF 2018

Mukesh Gola

APPELLANT

Vs

Govt. N.C.T. Of Delhi & Anr

RESPONDENT

Date of Decision : 20-08-2018

Acts Referred:

Indian Penal Code, 1860 — Section 420

Citation : (2018) 08 DEL CK 0305

Hon'ble Judges : SANJEEV SACHDEVA, J

Bench : Single Bench

Final Decision : Allowed

Judgement

SANJEEV SACHDEVA, J. (ORAL)

CRL.M.A. 30265/2018

CRL.M.A. 30266/2018

Exemption is allowed subject to all just exceptions.

CRL.M.C. 4193/2018

1. Petitioner seeks quashing of FIR No.116/2017 under Section 420 IPC at Police Station Hazrat Nizamuddin. Subject FIR emanates out of the

dispute between the parties with regard to a sale transaction which had taken place between the parties and petitioner had agreed to sell a property to

the respondent/complainant and received a sum of Rs.2 lakhs. Subsequently the transaction did not go through and apart from the subject FIR even a

civil suit was filed.

2. Learned counsels for the parties submit that the parties have settled their disputes. Settlement agreement dated 05.08.2018 has been executed. It is

agreed that the petitioner shall repay a sum of Rs.2 lakhs to the respondent. The petitioner who is present in person in Court submits that he shall pay

the said amount of Rs.2 lakhs to the respondent within a period of two months. Petitioner shall concede to the passing of the decree in the civil suit

filed by respondent No.2 against the petitioner. The undertaking of the petitioner is accepted.

3. Respondent No. 2 is present in court in person, represented by his counsel and identified by the Investigating Officer. He submits that parties have

settled the disputes with each other. He submits that he is agreeable to the settlement and does not wish to press the criminal charges against him any

further.

4. In view of the fact that the disputes between the petitioner and respondent No.2 have been settled, continuation of criminal proceedings will be an

exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of

justice being the ultimate guiding factor. It would be expedient to quash the subject FIR and the consequent proceedings emanating there from.

5. In view of the above, the petitions are allowed. FIR No.116/2017 under Section 420 IPC at Police Station Hazrat Nizamuddin and the consequent

proceedings there from are, accordingly quashed.

6. Order Dasti under signatures of the Court Master.