

(2020) 03 DEL CK 0277

In the Delhi High Court

Case No : Criminal Writ Petition No. 631 Of 2020, Criminal Miscellaneous Application No. 4875 Of 2020

Naveen Gupta & Anr

APPELLANT

Vs

State & Anr

RESPONDENT

Date of Decision : 05-03-2020

Acts Referred:

Indian Penal Code, 1860 — Section 379, 406

Citation : (2020) 03 DEL CK 0277

Hon'ble Judges : Brijesh Sethi, J

Bench : Single Bench

Advocate : Tejinder Singh, R.S.Kundu, Anurag Chauhan

Final Decision : Disposed Of

Judgement

Brijesh Sethi, J

Vide this petition, quashing of eFIR No. OD-PCE-001631/2019, registered at police station Paschim Vihar East, New Delhi for

the offences under Sections 379/406 IPC is sought on the basis of Settlement Agreement of 2nd March, 2020 between the parties.

Notice.

Mr. R.S.Kundu, Additional Standing Counsel, accepts notice for respondent No.1/ State and Mr. Anurag Chauhan, Advocate, accepts notice for

respondent No.2.

Learned Additional Standing Counsel for respondent-State submits that petitioners as well as respondent No.2, who is the complainant of FIR in

question, are present in the Court they have been identified to be so, by Investigating Officer of this case.

Respondent No.2, present in the Court, submits that the dispute between the parties has been amicably resolved in terms of Settlement Agreement of

2nd March, 2020 and in terms thereof, she has today received a sum of Rs.7,00,000/- by way of bankers cheque bearing No. 129762, dated 3rd

March, 2020, drawn on State Bank of India, New Delhi from petitioner. She affirms the contents of her Affidavit of 2nd March, 2020 supporting this

petition and submits that now no dispute with petitioners survives and so, the proceedings arising out of the FIR in question be brought to an end.

Upon hearing and on perusal of the FIR of this Case, I find that continuance of proceedings arising out of the FIR in question would be an exercise in

futility as the misunderstanding, which led to registration of the FIR, now stands cleared between the parties.

Accordingly, this petition is allowed and eFIR No. OD-PCE-001631/2019, under Sections 379/406 IPC, registered at police station Paschim Vihar

East, New Delhi and the proceedings emanating therefrom are quashed qua petitioners.

This petition and application stand disposed of accordingly.