

(2011) 12 DEL CK 0410
In the Delhi High Court
Case No : Criminal M.C. 3834 of 2011

Sanjeev Kumar

APPELLANT

Vs

State (NCT of Delhi)

RESPONDENT

Date of Decision : 13-12-2011

Acts Referred:

Penal Code, 1860 (IPC) — Section 420

Citation : (2011) 12 DEL CK 0410

Hon'ble Judges : Suresh Kait, J

Bench : Single Bench

Advocate : R.K. Mishra, for the Appellant; Navin Sharma, APP. and Ms. Zenab Khan, for R2, for the Respondent

Final Decision : Allowed

Judgement

Suresh Kait, J.—Ld. Counsel for the petitioner submits that on the complaint of respondent No.2 the FIR No. 192 dated 23.08.2011 u/s 420 IPC was registered at PS Kotla Mubarakpur, Delhi against the petitioner. He further submits that this matter has been settled vide MOU dated 11.11.2011 between 13 other persons who alleged to have been cheated by the petitioner.

2. Learned counsel further submits that the instant matter has been settled between the parties vide MOU dated 11.11.2011.

3. Respondent No.2/Suresh is personally present in the court today with his counsel, Ms. Zenab Khan, who duly identifies him.

4. On instructions, learned counsel for respondent No.2 submits that pursuant to the settlement, the parties are no more interested in pursuing the case further and respondent No. 2 has no objection if the FIR is quashed.

5. Learned APP for State submits that the investigations in the matter are going on and Charge-sheet shall be filed in due course of time.

6. Learned APP further submits that if the court is inclined to quash the FIR,

heavy costs shall be imposed upon the petitioner as in the process, government machinery has been used and precious time of the court have been consumed.

7. Though, I find force in the submission made by learned APP for State, but refrain imposing costs upon the petitioner, keeping in view the poor financial position.

8. In the interest of justice, I quash FIR No. 192/2011 registered at P.S. Kotla Mubrakpur and all the proceedings emanating therefrom.

9. Criminal M.C. 3834/2011 is allowed.