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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.M.C. 1354/2015 & CrI. M.A. No.4979/2015 (for stay)

JOGINDER PAL SINGH Petitioner
Through Mr.Gurmeet Singh, Adv. with
Mr.Atul, Adv.

versus

STATE & ANR Respondents
Through Mr.M.P.Singh, APP for the State
along with Insp. Rajender Kumar,
EOW, in person.
Respondent No.2 in person.

CORAM:
HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER
% **14.05.2015**

The present petition has been filed by the petitioner under Section 482 Cr.P.C. for quashing of FIR No.96/2011, registered on 26th May, 2011, under Sections 193/196/419/420/467/468/471/34/120-B IPC, at P.S. EOW Crime and Railways, Delhi.

Brief facts as per the case of the prosecution are that in the year 2008, a compromise decree was passed by the ADJ, Delhi in Suit No.125/2008, in which a decree for specific performance was passed in favour of Late Sh. Jagpal Singh, father of the petitioner herein and against respondent No.2. It was the case of respondent No.2 that the said decree was obtained by forgery, fraud and breach of trust, etc. Aggrieved by the said decree,

respondent No.2 filed a civil suit being CS(OS) No.2075/2010 before this Court. Besides, respondent No.2 filed a complaint against the petitioner and others with the police, on the basis of which, the aforesaid FIR was registered against the petitioner on 26th May, 2011.

During the pendency of the proceedings, with the intervention of the elderly people, friends and well-wishers, the petitioner and respondent No.2 have settled their disputes amicably in April, 2013. The terms and conditions of the settlement were reduced into writing vide Agreement/ Memorandum of Understanding dated 15th April, 2013. Copy of the said MOU is placed on the record. Even otherwise, it is also stated in the petition that in 2015 during the investigation, the CFSL report has confirmed that the various signatures and thumb impressions and handwriting on the alleged documents are, in fact, of respondent No.2 and the same are genuine and correct. The parties shall be bound by the terms and conditions of the settlement. In fact, the said settlement has been acted upon between the parties. The suit filed by respondent No.2 has already been decreed in terms of the above said compromise. Copy of the order dated 8th May, 2013 is also placed on the record.

The petitioner as well as respondent No.2 are present in Court who are duly identified by the IO. Respondent No.2/complainant has confirmed the settlement. He has no objection if the prayer made in the petition is allowed.

In view of the averments made in the petition as well as the settlement arrived at between the parties, the FIR No.96/2011, registered on 26th May, 2011, under Sections 193/196/419/420/467/468/471/34/120-B IPC, at P.S. EOW Crime and Railways, Delhi and proceedings pursuant thereto are

hereby quashed qua the petitioner.

The petition is accordingly disposed of. Dasti.

MANMOHAN SINGH, J.

MAY 14, 2015/ka