

Ritesh vs.state & Anr

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SooperKanoon Citation : sooperkanoon.com/1226261

Court : Delhi

Decided On : Oct-23-2019

Appellant : Ritesh

Respondent : State & Anr

Advocate for Def. : Mr. Izhar Ahmed

Judgement :

\$~66 * + IN THE HIGH COURT OF DELHI AT NEW DELHI CRL.M.C. 5490/2019
Date of decision:

23. 10.2019 RITESH STATE & ANR CORAM: Through: Adv. (appearance not given)

... Petitioner

versus Respondent Through: Mr. Izhar Ahmed, APP for State ASI Chanda Singh, PS Najafgarh HON'BLE MR. JUSTICE SURESH KUMAR KAIT

JUDGMENT

(ORAL) CRL. M.A. 39070/2019 1.

2. Allowed, subject to all just exceptions. Application is disposed of. CRL.M.C. 5490/2019 3. Vide the present petition, the petitioner seeks direction thereby quashing FIR No.0185/2016 dated 05.04.2016, registered at PS Najafgarh, the offences punishable under Sections

IPC and all other proceedings emanating therefrom.

4. Learned APP has raised issue on locus of the petitioner. Whereas the CRL.M.C. 5490/2019 Page 1 of 3 owner of the property in question is father of the petitioner and one co- accused Chotte Lal contractor is also accused in the present case, however, the present petition is filed only on behalf of Ritesh to quash the FIR and the emanating proceedings thereof.

5. Learned counsel for the petitioner submits that petitioner used to appear in other matters and settled the matter on behalf of his father.

6. 7. In view of above, notice issued. Notice is accepted by learned APP for the State.

8. With the consent of the counsel for the parties, the present petition is taken up for final disposal.

9. The present petition is filed on the ground that the parties have settled their disputes and the respondent no.2 has no objection if the present petition is allowed.

10. Respondent no.2 is present in Court with learned counsel and he has been identified by SI Chanda Singh /IO and submits that matter has been settled and he does not wish to prosecute the matter any further.

11. The petitioner and respondent no.2 have entered into an amicable settlement out of the Court.

12. Learned counsel for the petitioner submits that the respondent has CRL.M.C. 5490/2019 Page 2 of 3 received the total settlement amount and prays that the present petition may be quashed.

13. Taking into account the aforesaid facts, this Court is inclined to quash the concerned FIR as no useful purpose would be served in prosecuting the petitioners any further.

14. For the reasons afore-recorded, the FIR No.0185/2016 dated 05.04.2016, registered at PS Najafgarh registered for the offences punishable under Sections IPC of the IPC and consequent proceedings emanating therefrom are quashed.

15. The petition is allowed accordingly.

16. Order dasti. (SURESH KUMAR KAIT) JUDGE OCTOBER23 2019 ms
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