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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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+ CRL.M.C. 1488/2010

HARISH CHAND

..... Petitioner

Through : Mr. Rahul Khurana, Adv. with
petitioner in person.

versus

GOVT OF NCT OF DELHI & ANR.

..... Respondents

Through : Mr. Naveen Sharma, APP for State
with Investigating Officer.

Respondent No.2/complainant in person.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

% 28.10.2010

1. The present petition is filed by the petitioner under Section 482 Cr.P.C. praying *inter alia* for quashing of FIR No.189/2006 lodged by the respondent No.2/complainant against the petitioner, under Sections 381/411 IPC with PS Seemapuri, Delhi and all proceedings arising therefrom.

2. Counsel for the petitioner states that the petitioner was employed at the factory of the respondent No.2/complainant and on 22.3.2006, the respondent No.2/complainant found cash to the tune of ₹.70,000/- missing from the office. Thereupon, he lodged the aforesaid FIR against the petitioner. In the course of investigation, the

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Signature Not Verified

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physical file have been compared and
the digital data is as per the physical
file and no page is missing.

petitioner was arrested. Thereafter, investigations were completed and charge sheet has been filed, but the prosecution evidence has yet to be recorded.

3. In the meantime, the petitioner approached the respondent No.2/complainant and sought to resolve their *interse* disputes by tendering an apology to him and returning the sum of ₹.70,000/-. The petitioner therefore submits that the present FIR be quashed.

4. The respondent No.2/complainant, who is present in person and is identified by the counsel for the petitioner, confirms the fact that seeing the young age of the petitioner and the fact that he is repentant, he has decided to forgive him. He further states that the petitioner has returned the sum of ₹.70,000/- to him and in this view of the matter, he does not wish that any further action be taken against the petitioner in the FIR lodged by him.

5. Learned APP for the State, on instruction from the IO, confirms the fact that the parties have arrived at a settlement. He, therefore, does not oppose the prayer made in the present petition.

6. This Court has heard counsels for the parties. In view of the submission made by the respondent No.2/complainant and in view of the fact that the parties have arrived at a settlement of their own free will and volition and without any undue influence or coercion

from any quarters, no useful purpose will be served by proceeding further with the aforesaid FIR and the proceedings arising therefrom. S

7. Accordingly, the prayer made in the petition is allowed and FIR No.189/2006 lodged by the respondent No.2/complainant with PS Seemapuri, Delhi and all proceedings arising therefrom stand quashed.

8. The petition is disposed of. File be consigned to the record room.

OCTOBER 28, 2010
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HIMA KOHLI, J