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

+ W.P.(CRL) 734/2016

MANOJ KUMAR KASHYAP Petitioner
Through : Mr. K.S. Kashyap, Adv.

versus

THE STATE (NCT OF DELHI) & ANR Respondents
Through :Mr. Avi Singh, ASC with Mr.
Ananya Mohan, Adv. and SI
Mahendra Koli, P.S. Sabzi Mandi for
respondent no. 1
Mr. Ankit Gupta, Adv. for respondent
no. 2

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **12.07.2016**

Respondent no. 2 issued two cheques to the petitioner for ₹1,00,000/- and ₹1,50,000/-, respectively. On presentation, these cheques were dishonoured and returned unpaid by the banker on the ground of “insufficient funds”. Petitioner filed a criminal complaint under Section 138 of the Negotiable Instruments Act, 1881 (‘the Act’, for short) against the respondent no. 2 before the Metropolitan Magistrate, Delhi. Thereafter, respondent no. 2 filed the present FIR alleging therein that his four cheques were lost/misplaced. He further alleged that out of these four cheques, two

cheques have been misused by the petitioner.

It is submitted that petitioner and respondent no. 2 have settled their disputes amicably and pursuant thereof petitioner has already withdrawn the complaint under Section 138 of the Act. Petitioner seeks quashing of the present FIR on the ground of compromise. Respondent no. 2 is present in Court and admits that he has compromised the matter with petitioner. He further submits that he is not willing to pursue the FIR any further and the same may be quashed. Investigation is at the preliminary stage.

Keeping in mind the above facts, in the interest of justice, FIR No. 212/2013 under Sections 420/468/471 IPC registered at Police Station Subzi Mandi and the proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

JULY 12, 2016

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