

49# \$~

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

+ **CRL.M.C. 2680/2016**

BALWINDER SINGH & ORS

..... Petitioners

Represented by: Mr. Ajay Kumar Gupta,
Advocate with petitioners in
person.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Represented by: Mr. Ravi Nayak, APP for the
State with SI Jitendra Singh, PS
EOW.
Mr. Aditya Prasad and Mr.
Aditya Abhyankar, Advocates
for respondent No.2 with Mr.
Rajiv Behl, authorised
signatory in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

%

29.07.2016

Crl. M.A. No.11466/2016 (Exemption)

Allowed, subject to all just exceptions.

Crl. M.A. No. 11465/2016 (Delay in refiling)

For the reasons stated in the application, delay of 92 days in refiling
the petition is condoned.

Application is disposed of.

CRL.M.C. 2680/2016

By the present petition the petitioners seek quashing of FIR No.
128/2008 under Sections 108/104 Trade and Merchandise Act, 1958

CRL.M.C. 2680/2016

Page 1 of 3

and Section 63 of the Copyright Act, 1957 registered at PS Economic Offences Wing, Delhi on the complaint of Praveen Kumar on the ground that the parties have settled the matter.

Issue notice.

Learned APP accepts notice on behalf of the State. On instructions he points out that the FIR was registered by one Praveen Kumar on behalf of respondent No.2.

Learned counsel for respondent No.2 states that Mr. Praveen Kumar, the authorised signatory of respondent No.2 is no more in employment of respondent No.2 and now Mr. Rajiv Behl has been authorised by respondent No.2 to settle the present FIR with the petitioners and make settlement before this Court. Copy of the authorisation in favour of Mr. Rajiv Behl has been placed at pages 60-61 of the present petition. Mr. Rajiv Behl, authorised signatory of respondent No.2, who is present in Court and is identified by the learned counsel states that respondent No.2 has settled the matter with the petitioners and in terms of the settlement does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioners, who are also present in Court and are identified by the learned counsel state that they will abide by the terms of settlement.

In view of the fact that the parties have amicably resolved their differences of their own free will, volition and without any coercion and no useful purpose will be served in continuance of the proceedings, rather the same would create further acrimony between them, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in

question.

Consequently, FIR No. 128/2008 under Sections 108/104 Trade and Merchandise Act, 1958 and Section 63 of the Copyright Act, 1957 registered at PS Economic Offences Wing, Delhi and proceedings pursuant thereto are hereby quashed, subject to the petitioners depositing a sum of ₹20,000/- each with the Juvenile Justice Fund maintained by the Registrar General of this Court within two weeks.

Petitioners and the authorised signatory of respondent No.2 have signed this order sheet in acknowledgment of their statements made before this Court.

The petition is disposed of. Order dasti.

MUKTA GUPTA, J.

JULY 29, 2016
‘vn’