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

+ W.P.(CRL) 1065/2016

ANJALI DEV

..... Petitioner

Through: Mr. Pratap Singh, Adv. along with
petitioner in person.

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Through: Mr. Avi Singh, ASC for State with
Ms. Megha Bahl, Adv. along with SI
Mukesh Kumar, P.S. Bindapur.

Respondent no.2/Complainant in
person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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18.07.2016

Petitioner and respondent no. 2 were living together in the same tenanted premises. They were friends. Respondent no.2 alleged in the FIR that someone had taken out her ATM card and withdrawn ₹13,000/- from the ATM of Bank of Baroda which fact came to her notice, on receiving SMS on her mobile phone. Complainant blocked the ATM card immediately after receipt of this message. During the investigation, it was revealed that petitioner had withdrawn the said amount. It is submitted that earlier also petitioner had withdrawn the amount from the complainant's ATM card with her consent. It is submitted that due to confusion FIR has

been lodged.

Petitioner and respondent no.2 have now settled their disputes. Petitioner has already refunded the amount withdrawn by her from the ATM card of complainant. Respondent no.2 is present in Court and has been identified by the Investigating Officer. She submits that due to confusion she had lodged the FIR. She further submits that had she known that petitioner had withdrawn the amount, FIR would not have been lodged by her. She submits that she is not willing to pursue the FIR any further.

Keeping in mind above facts, in the interest of justice, FIR No. 1134/2015 under Section 380 IPC registered at Police Station Bindapur, New Delhi and the consequent proceedings emanating therefrom are quashed.

Writ petition is disposed of in the above terms.

A.K. PATHAK, J.

JULY 18, 2016

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