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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 1327/2016
JAGMEET SINGH LAMBA @ SURAJ LAMA Petitioner
Through : Mr. Ankush Narang, Mr. Sandeep
Rana and Ms. Shweta Sain, Advs.
versus

THE STATE (NCT OF DELHI) & ANR Respondents
Through : Ms. Kamna Vohra, ASC with SI
Ajeet Kumar PS C. R. Park.
Mr. Diwakar Chaturvedi, Adv. for
R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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16.09.2016

Both, complainant (respondent no.2) and accused (petitioner) are engaged in the business of sale and purchase of old cars. Respondent no.2 alleged that petitioner told him that one Raju Verma was selling his BMW car bearing no.DL-3C-BM-3596 but he was not having sufficient money to buy the same. Respondent no.2 agreed to purchase the car for ₹10,00,000/-. He also paid ₹1,00,000/- brokerage to petitioner. On the same day, petitioner told him that he was having a purchaser who was willing to buy the car for ₹15,00,000/-. He demanded ₹1,00,000/- as brokerage. On 18th February, 2015, respondent no.2 asked him to hand over the car to him so

that he can show the same to the interested party. Car was given to him. However, petitioner did not return the car. He even did not pay any amount to him. On 2nd March, 2015, respondent no.2 found that car was in possession of one Virender Khaneja. On the complaint of respondent no.2, the present FIR under Sections 420/406 IPC was registered against the petitioner at police station C. R. Park.

Petitioner and respondent no.2 have settled their disputes vide Memorandum of Understanding dated 22nd February, 2016. Respondent no.2 is present in Court and has been identified by SI Ajeet Kumar PS C. R. Park. Respondent no.2 submits that he has received entire settled amount of ₹7,00,000/- from the petitioner. He further submits that he is not willing to pursue the present FIR any further.

Keeping in mind the nature of offence and the fact that parties have settled their disputes, in the interest of justice, the present FIR No.323/2015 under Sections 420/406 IPC registered at police station C. R. Park is quashed.

Writ petition is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

SEPTEMBER 16, 2016/dk