

\$~15

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1642/2016**
ABHISHEK SHARMA Petitioner
Through : Mr. Gopesh Tripathi, Adv.
versus

STATE & ANR Respondents
Through : Mr. Piyush Singhal, Adv. for Mr.
Ashish Aggarwal, ASC with SI Sukhi
Ram PS North Rohini, Delhi.

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

ORDER
% **30.08.2016**

On the complaint of respondent no.2, present FIR No.453/2014 under Section 420 IPC was registered at police station North Rohini. The complainant has alleged in the FIR that he was a travel agent. Petitioner approached the complainant for purchase of foreign currency. Petitioner paid ₹1,25,000/- vide DD No.668355 dated 18th June, 2014 drawn on Corporation Bank in order to purchase 2000 dollars. The said DD was deposited by the complainant with INDUS IND Bank, Rohini Branch for encashment. In the meanwhile, petitioner informed that DD did not contain the stamp of banker, thus, may not be encashed. Petitioner did not pay ₹1,25,000/- against 2000 dollars purchased by him. It is submitted that

petitioner and respondent no.2 have now settled their disputes vide Memorandum of Understanding dated 7th May, 2016. Respondent no.2 is present in Court and has been identified by SI Sukhi Ram PS North Rohini. He admits that he has already received the settled amount of ₹1,44,000/- from the petitioner and he submits that he has no objection in case the FIR is quashed. Learned additional standing counsel submits that during the investigation, DD was found to be forged therefore, cost be imposed on the petitioner.

Keeping in mind the facts that petitioner and respondent no.2 have settled their disputes, inasmuch as, respondent no.2 has received the settled amount, in the interest of justice, the present FIR No.453/2014 under Section 420 IPC registered at police station North Rohini is quashed, subject to, however, costs of ₹20,000/- (Rupees Twenty Thousand Only) to be deposited by petitioner with the Delhi High Court Legal Services Committee within four weeks. Receipt be produced before the Investigating Officer.

Petition is disposed of in the above terms.

A.K. PATHAK, J.

AUGUST 30, 2016/dk