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

+ **CRL.M.C. 2432/2016**

HARISH KAPOOR

..... Petitioner

Represented by: Mr. Rakesh Patiyal, Adv.

versus

STATE & ANR

..... Respondent

Represented by: Mr. Ashok Kumar Garg, APP
with SI Ichha Ram PS Tilak
Marg.

Mr. Surender Nagpal, Adv. for
R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

15.07.2016

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Crl.M.A. 10435/2016

Exemption allowed subject to just exceptions.

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By this petition, the petitioner seeks quashing of FIR No. 109/2010 under Sections 420/468/120B IPC registered at PS Tilak Marg on the complaint of respondent No.2 on the ground that the parties have settled the matter.

As per the complaint, the respondent No.2 alleged that he had surrendered the possession of one office unit of NDMC vide letter dated 2nd February, 1989. Thereafter he received a notice for recovery of unpaid dues/ license fee in the year 2000. On enquiry he found that Harish Kapoor

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the petitioner in the present case in connivance with NDMC officers forged and fabricated documents and obtained possession of the unit. The complainant filed an appeal before the District Judge, Patiala House where Harish Kapoor filed documents which were not signed by him.

Thus, the allegations in the FIR are that the petitioner filed forged documents in Court proceedings. Even if the parties have settled on monetary transactions, FIR in which investigation involves filing forged documents before the Court cannot be quashed on the basis of settlement between the parties.

Petition is dismissed.

MUKTA GUPTA, J.

JULY 15, 2016
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