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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 2527/2016 & CrI.M.A.13308/2016**
AMIT SHARMA Petitioner

Through: Mr. Altin Shankar and Mr. Rastogi,
Advs.

versus

STATE & ANR Respondents

Through: Ms. Kamna Vohra, ASC for State
with SI Sandeep Kumar, P.S. Tilak
Marg.
Mr. S.K. Arora, Adv. for R-2 along
with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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29.08.2016

Respondent no. 2 is employer of the petitioner. FIR No. 226/16

under Section 392 IPC was registered at police station Tilak Marg on the complaint of petitioner. Petitioner alleged in the FIR that on 22nd June, 2016 he collected about ₹30 lacs from creditor of respondent no.2 from Sagar Apartment, Tilak Marg and while he was going to deliver the same to respondent no.2, he was intercepted by a swift car near Patiala House Court Bus Stand at about 6:25 pm and one person came out from the said car and robbed him of his money.

During the investigation, it surfaced that petitioner had made false complaint of robbery and, in fact, amount was kept by himself. After this fact was revealed, during the investigation offences under Sections

408/411/182 IPC were substituted in place of offence under Section 392 IPC and petitioner was made an accused instead of complainant.

It is submitted that petitioner made this false complaint in order to teach a lesson to the respondent no.2 for some old grudge which he was nursing against respondent no.2. Petitioner has now refunded ₹30 lacs to the respondent no.2 pursuant to a settlement arrived at between them. Respondent no.2, who is present in Court, submits that FIR may be quashed in view of the settlement arrived at between him and the petitioner, who was his old employee.

Keeping in mind that a settlement has been arrived at between the parties and the nature of offence, FIR No. 226/16 under Sections 408/411/182 IPC registered at police station Tilak Marg and the consequent proceedings emanating therefrom are quashed, subject to cost of ₹25,000/- to be deposited by the petitioner with the Delhi High Court Bar Association Advocates' Welfare Fund within four weeks. Receipt be filed in the Registry and a copy whereof be supplied to the Investigating Officer.

Writ petition is disposed of in the above terms.

A.K. PATHAK, J.

AUGUST 29, 2016

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