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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(CRL) 2555/2016

SURESH KUMAR Petitioner
Through : Mr. Pankaj Pandey, Adv.

versus

STATE & ANR. Respondents

Through :Mr. Ashish Aggarwal, ASC with
Inspector Shailendra Singh, EOW
Mr. Aditya Vikram, Adv. for
respondent no. 2

AND

+ CRL.M.C. 3290/2016

GURMEET SINGH CHUGH & ORS Petitioners

Through : Mr. Aditya Vikram, Adv.

versus

STATE (GOVT OF NCT DELHI) & ANR Respondents

Through : Mr. Mukesh Kumar, APP with
Inspector Shailendra Singh, EOW
Mr. Pankaj Pandey, Adv. for
respondent no. 2

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

Signature Not Verified

Signing Date:30.09.2024 17:20:36
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been compared and the digital data is as per
the physical file and no page is missing.

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ORDER

16.09.2016

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Crl. M.A. No. 14004/2016 (exemption) in Crl. M.C. No. 3290/2016

Allowed, subject to all just exceptions. Application is disposed of.

W.P.(CRL) 2555/2016 and CRL.M.C. 3290/2016

By Crl. M.C. No. 3290/2016, Gurmeet Singh Chugh, Punita Sharma, Harkirat Kaur, Sibby Sebastian, Rajesh Kumar Jha and Mukesh Madan have prayed for quashing of FIR No. 128/2014 under Sections 120-B/409/420/477-A IPC registered at Police Station Barakhamba Road on 29th July, 2014 on the complaint of Suresh Kumar.

By W.P.(CRL) No. 2555/2016, Suresh Kumar has prayed for quashing of FIR No. 63/2015 under Sections 120-B/406/420 IPC registered at Police Station Rajinder Nagar on 20th January, 2015 on the complaint of Gurmeet Singh Chugh.

Gurmeet Singh Chugh, Punita Sharma and Suresh Kumar were the Directors of a private limited company, namely, Advance Therapeutics Pvt. Ltd. As per Suresh Kumar, Harkirat Kaur, Sibby Sebastian, Rajesh Kumar Jha and Mukesh Madan were Authorized Representatives of the said company. Gurmeet Singh Chugh and Punita Sharma on the one hand and Suresh Kumar on the other levelled allegations against each other in the

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cross FIR, regarding financial irregularities allegedly committed by them in the day to day affairs of the company. Gurmeet Singh and Punita Sharma alleged that Suresh Kumar had committed financial irregularities; whereas as per Suresh Kumar it is Gurmeet Singh and Punita Sharma who had misappropriated the company's funds.

During the investigation itself, Gurmeet Singh Chugh, Punita Sharma and Suresh Kumar have settled their disputes vide Settlement Agreement dated 23rd August, 2016 (Annexure P/2). Gurmeet Singh Chugh and Suresh Kumar are present in Court and have been identified by Inspector Shailendra Singh of Police Station EOW Mandir Marg. Gurmeet Singh Chugh and Suresh Kumar admit that terms of the settlement have been duly complied with by them. Suresh Kumar has also admitted that he has already received Rs.1,68,00,000/- (Rupees One Crore Sixty Eight Lacs Only), in terms of the settlement. Gurmeet Singh Chugh and Suresh Kumar (complainants in both the FIRs) submit that they do not wish to pursue the matter any further in view of the settlement arrived at between them.

Keeping in mind the above facts, more particularly when the disputes, which appears to have arisen between the Directors over the functioning of the company, having civil flavour, in the interest of justice, both the FIRs,

that is, FIR No. 128/2014 under Sections 120-B/409/420/477-A IPC registered at Police Station Barakhamba Road and FIR No. 63/2015 under Sections 120-B/406/420 IPC registered at Police Station Rajinder Nagar and the consequent proceedings emanating therefrom are quashed.

Both the petitions are disposed of in the above terms. Dasti.



A.K. PATHAK, J.

SEPTEMBER 16, 2016

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