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

+ W.P.(CRL) 3287/2016

AIRBNB INDIA PVT LTD

..... Petitioner

Through :Mr. Amar Gupta, Mr. Divyam
Agarwal and Mr. Raghav Sabharwal,
Advs.

versus

STATE & ANR

..... Respondents

Through :Mr. Ankit Kumar Gulia, Adv. for
Mr. R.S. Kundu, ASC with Inspector
Rajesh Kumar & SI Satyender Gulia,
P.S. Barakhamba Road, New Delhi
for respondent no. 1
Mr. Rajiv K. Nanda, Adv. for
respondent no. 2 with respondent no.
2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **16.11.2016**

W.P.(CRL) 3287/2016 & Crl.M.A.17759/2016 (stay)

Present FIR No. 93/2015 under Section 420 IPC and Section 66(D) of
Information Technology Act, 2000 was registered at Police Station
Barakhamba Road on the complaint of respondent no. 2. Respondent no. 2

alleged in the FIR that he intended to visit London (UK) from 17th June, 2015 till 8th July, 2015. His friend Ankoor Sahai suggested “Airbnb” website for booking an apartment. Accordingly, he booked an apartment listed on the website, whose owners purportedly were Ms. Stella and Mr. David. Invoice for UK £ 6,300 was raised by the petitioner. On reaching London, no such apartment was found; actually, it was the “Embassy of Bahrain”.

Petitioner and respondent no. 2 have settled their disputes vide Agreement (Annexure P-4). Respondent no. 2 is present in Court and admits having settled the matter with petitioner. Respondent no. 2 submits that he has settled the matter with petitioner of his own free will and without any undue force, coercion and pressure. He submits that in view of the settlement, he is not willing to pursue the FIR any further.

Keeping in mind the fact that petitioner and respondent no. 2 have settled their disputes amicably and respondent no. 2 is not willing to pursue the FIR any further, I am of the opinion that no fruitful purpose would be served to keep the criminal proceedings pending. Accordingly, in the interest of justice, FIR No. 93/2015 under Section 420 IPC and Section 66(D) of Information Technology Act, 2000 registered at Police Station

Barakhamba Road, which is at the investigation stage, is quashed as a whole.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous. Dasti.

A.K. PATHAK, J.

NOVEMBER 16, 2016
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