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

+ **W.P.(CRL) 3432/2016**

SHYAM

..... Petitioner

Through: Mr. Jugwal Wadhwa and Mr. Parth
Kaushik, Advs.

versus

STATE OF NCT OF DELHI& ORS.

..... Respondents

Through: Ms. Kamna Vohra, ASC with SI
Surender Kumar, P.S. Hari Nagar.
Mr. Sudhir Kr. Ray, Adv. for R-2
along with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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07.12.2016

On the complaint of respondent no.2, present FIR No. 356/2016 under Sections 406/409/419/420/506/120-B/34 IPC was registered against the petitioner at police station Hari Nagar. Respondent no.2 has alleged in the FIR that on 5th March, 2014 he had booked an auto rickshaw with M/s Bagga Link Service Ltd., Karol Bagh, New Delhi and deposited ₹5000/-. For financial help he approached the petitioner, who assured to help him against the payment of ₹20,000/-. Petitioner obtained his thumb impressions on some blank papers, for the purpose of delivery of the auto rickshaw. On the basis of said documents petitioner took delivery of the auto rickshaw but did not hand it over to the respondent no.2.

Petitioner and respondent no.2 have settled their disputes amicably. Respondent no.2 is present in Court and has been identified by SI Surender Kumar of police station Hari Nagar. Respondent no.2 submits that he has received the delivery of the auto rickshaw from the petitioner. Petitioner has also handed over the duly signed Form-35 (No Objection Certificate) to the respondent no.2. He further submits that in view of the settlement he is not willing to pursue the present FIR and the same may be quashed.

Keeping in mind the settlement arrived at between the respondent no.2 and petitioner, in the interest of justice, FIR No. 356/2016 under Sections 406/409/419/420/506/120-B/34 IPC registered at police station Hari Nagar, which is at the investigation stage, is quashed. Investigating Officer is directed to return the ownership documents of the aforesaid auto rickshaw to the respondent no.2

Writ petition is disposed of in the above terms.

A.K. PATHAK, J.

DECEMBER 07, 2016

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