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

+ **W.P.(CRL) 1904/2015**

**EROS INTERNATIONAL MEDIA LIMITED** ..... Petitioner

Through: Mr. Dayan Krishnan, Sr. Adv. with  
Mr. Anshu Bhanot and Mr. Anuj  
Mirdha, Advs.

versus

**STATE OF NCT OF DELHI & ANR** ..... Respondents

Through: Mr. Rajesh Mahajan, ASC with Ms.  
Parul Jamwal, Adv. along with SI  
Puneet Bharti, P.S. Sarai Rohilla.

**CORAM:**

**HON'BLE MR. JUSTICE A.K. PATHAK**

**ORDER**

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**30.08.2016**

**W.P.(CRL) 1904/2015**

On an oral prayer made by the learned senior counsel, directors of the petitioner, namely, Mr. Kishore Lilla, Vijay Ahuja, Sunil Lulla, Jyoti Deshpandey, who have been named in the FIR, are impleaded as respondent nos. 3 to 7 today itself.

By this writ petition, petitioner has prayed for quashing of FIR No. 749/15 registered at police station Sarai Rohilla under Sections 420/468/471 of the Indian Penal Code, 1860 and Section 7A of the Cinematograph Act, 1952. Vide Criminal M.A. 1339/16, it has been brought on record that the subject matter involved in the FIR has been settled between the parties

before the learned Arbitrator in arbitration proceedings on 20<sup>th</sup> August, 2016. It is submitted that a cheque for ₹34,20,000/- in favour of company of respondent no. 2 was also handed over to the learned Arbitrator on the same day. A perusal of proceedings of learned Arbitrator confirms this fact. In para 2 of the proceeding, it is also mentioned that parties have agreed to get the FIR quashed in the present writ petition.

Respondent no.2 is erstwhile distributor of the petitioner in respect of the cable rights of certain films. Petitioner is a distributor of feature films. Respondent no.2 has alleged in the FIR that petitioner had used forged Censor Board certificates and the DVDs.

Learned senior counsel submits that the cheque of ₹34,20,000/- handed over to the Arbitrator has now been replaced by a demand draft. Photocopy of the demand draft has been placed on record.

Respondent no.2 is present in Court and submits that he has no objection in case the FIR is quashed in view of the compromise arrived at between the parties, subject to the realisation of the demand draft. He contends that matter has been settled during the arbitration proceedings.

Keeping in mind that matter has been compromised between the parties before the arbitration and the nature of disputes which are primarily

commercial in nature, the FIR No. 749/15 under Sections 420/468/471 of the Indian Penal Code, 1860 and Section 7A of the Cinematograph Act, 1952 and the consequent proceedings emanating therefrom are quashed, subject to however receipt of demand draft by the respondent no.2 from the Arbitrator and its encashment.

Writ petition is disposed of in the above terms. All other miscellaneous applications are disposed of as infructuous.

**A.K. PATHAK, J.**

**AUGUST 30, 2016**

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