

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CrI.P.MP.Nos.2519 and 2520 of 2017
IN/ AND
CRIMINAL PETITION No.2555 OF 2017

ORDER:

The Authorised Signatory of Colourful Vacations Private Limited, who is the petitioner/accused, by name Manish Kumar Singh is present. Photostat copy of the authorisation letter is filed along with the Criminal Petition at Page No.18. It is accepted only for the purpose of this case and cannot be used in any other cases. Respondent No.2/ *de facto* complainant is present. The *de facto* complainant has filed CrI.P.M.P.No.2519 of 2017 under Section 320(6) read with 482 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.') to permit him to enter into compromise with the petitioner/accused for the offences punishable under Section 420 IPC and Sections 66C and 66D of the Information Technology Act, 2008 in Crime No.425 of 2016 of MVP Police Station/Cyber Crimes Investigation Cell, Visakhapatnam City. The *de facto* complainant also filed CrI.P.M.P.No.2520 of 2017 seeking permission to file the Criminal Petition itself.

2. Both the *de facto* complainant as well as the accused are identified by their respective counsel, Sri S.Vivek Chandra Sekhar and Sri Botta Praveen Kumar Reddy. Aadhar Card of the *de facto* complainant and driving licence of the petitioner/accused are shown and Photostat copies thereof have been filed.

3. Since the *de facto* complainant and the petitioner would affirm the contents of the Joint Memo of Understanding filed in Criminal

Petition and the de facto complainant states that he has received Rs.2,20,000/- by way of transfer to his account bearing A/c.No.00501050121725 of HDFC Bank, Dwarakanagar, Visakhapatnam, on 03.03.2017 from the petitioner and he has no grievance against the petitioner.

4. Keeping in view the guidelines laid down by the Hon'ble Apex Court in Gian Singh v. State of Punjab¹, CrI.P.M.P.Nos.2519 and 2510 of 2017 are ordered and consequently, the Criminal Petition is allowed quashing the First Information Report in Crime No. 425 of 2016 of MVP Police Station/Cyber Crimes Investigation Cell, Visakhapatnam City registered for the offences punishable under Section 420 IPC and Sections 66C and 66D of the Information Technology Act, 2008.

Consequently, Miscellaneous Petitions, if any, pending in this petition shall stand closed.

JUSTICE A.SHANKAR NARAYANA

Date:10.04.2017

Note: Furnish CC within two (02) days

(B/O)
INL

¹ 2012 (10) SCC 303