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

+ **CRL.M.C. 563/2017**

HYUN CHIL HONG & ANR

..... Petitioners

Through: Mr.Ramesh Gupta, Sr. Adv. with
Mr.Nishant Joshi and Mr.Nikhil
Varshna, Advs.

versus

NCT OF DELHI & ANR

..... Respondents

Through: Ms.Kusum Dhalla, APP for State
SI Deepak, PS-Malviya Nagar
Mr.Shyam Moorjari, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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17.03.2017

CRL.M.A.4525/2017

This is an application under Section 482 Cr.P.F filed on behalf of M/s.Samsung India Electronics Private Limited (SIEL) seeking impleadment in the present quashing proceedings.

Keeping in view the submissions made by learned counsel for the petitioners and for the reasons stated in the application, the present application is allowed. Amended memo of parties filed.

The present application is disposed of accordingly.

CRL.M.C. 563/2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.2137/2015, under Section 420 IPC, registered at Police Station-Malviya Nagar, Delhi and all proceedings emanating therefrom.

Learned senior counsel for the petitioners submits that the petitioners supplied ultrasound machine to the complainant which was found to be defective due to which some misunderstanding had arisen between the parties, resulting into registration of FIR No.2137/2015, under Section 420 IPC at Police Station-Malviya Nagar, Delhi. He further submits that after the registration of the FIR, the near friends intervened and the matter has been amicably settled between the parties vide Memorandum of Understanding dated 18.11.2016. He further submits that as per the terms of settlement, a new ultrasound machine has been supplied to the complainant and nothing remains to be adjudicated further between the parties. He submits that since all disputes have been settled between the parties, the FIR in question and all proceedings arising therefrom may be quashed.

The respondent No.2/complainant Dr.Rakesh Bakshi is present in Court today and has been identified by the Investigating Officer SI Deepak, PS-Malviya Nagar, Delhi. The respondent No.2 admits that he has been supplied with a new ultrasound machine and he has settled the matter amicably with the petitioners vide Memorandum of Understanding dated 18.11.2016. He further submits that the settlement/compromise has taken place voluntarily, without any force, pressure or coercion. He submits that nothing remains to be adjudicated further between them and he has no objection if the FIR in question is quashed.

Keeping in view the above facts and circumstances, since the matter has been amicably settled between the parties and nothing remains to be adjudicated further between them, I deem it appropriate to quash the FIR and all its subsequent proceedings. Consequently, FIR No.2137/2015, under Section 420 IPC, registered at Police Station-Malviya Nagar, Delhi and all

proceedings arising therefrom are hereby quashed. Parties to remain bound by the terms of Memorandum of Understanding dated 18.11.2016.

The present petition is allowed and disposed of accordingly.

Copy of this order be given *dasti*, as prayed.

I.S.MEHTA, J

MARCH 17, 2017/radhika