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

+ CRL.M.C. 383/2015 & CrI. M.A. 1512/2015

CHATUR SINGH

..... Petitioner

Through: Mr.Janender Kr. Chumbak, Adv.
versus

STATE & ANR

..... Respondents

Through: Mr.Mukesh Kumar, APP for State
S.I Yogesh Raj, P.S. Prashant Vihar
R-2 in person

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **26.05.2017**

This is a petition under Section 482 Cr.P.C. moved by the petitioner for quashing of FIR No.628/2004, under Sections 323/379/384/392/420/506/34 IPC, registered at Police Station Prashant Vihar and all the subsequent proceedings emanating therefrom.

It is submitted by learned counsel for the petitioner that the petitioner was the employee of Kotak Mahindra Prime Ltd. and the respondent No.2 has took a loan from Kotak Mahindra Prime Ltd. for the purpose of purchase of Vehicle bearing No. DL8CG-4152 on the basis of hire purchase agreement. He further submits that the respondent No.2 failed to repay the said loan amount, resulting into taking of the possession of the vehicle by the petitioner, who was authorized by Kotak Mahindra Prime Ltd. to do so. He further submits that on account of this incident the respondent No.2/ complainant registered the aforesaid FIR against the present petitioner. He also submits that after the registration of FIR, the near relatives and close

friends intervened and the matter has been amicably settled between them before the Delhi High Court Mediation & Conciliation Centre vide Settlement Agreement dated 27.03.2017 and that nothing remains to be adjudicated. He further submits that the petitioner is simply an employee of Kotak Mahindra Prime Ltd. He further submits that the present FIR is coming as a hurdle in the future life of the petitioner and prays that the present FIR may be quashed.

The respondent No.2 is present in person and has been identified by the Investigating Officer Sub Inspector Yogesh Raj and admits that he has amicably resolved all disputes with the petitioner voluntarily without there being any threat, coercion or pressure of any sort. He further submits that he has no objection, if the present FIR is quashed.

Keeping in view the facts and circumstances, since the matter has been amicably settled between the parties and nothing is to be adjudicated further, I deem it appropriate to quash the FIR in question. Consequently, to meet the ends of justice, the FIR No.628/2004, under Sections 323/379/384/392/420/506/34 IPC, registered at Police Station Prashant Vihar and all subsequent proceedings arising therefrom are hereby quashed.

Parties to remain bound by terms of Settlement Agreement dated 27.03.2017.

The petition and the accompanying application are disposed of accordingly.

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

I.S.MEHTA, J

MAY 26, 2017/km