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

+ CRL.M.C. 1368/2017 & Crl.M.A.Nos.5517-18/2017

AVDESH KUMAR AGARWAL

..... Petitioner

Through : Mr.Dinesh Chander, Advocate along
with petitioner present in person.

versus

STATE & ANR.

..... Respondents

Through : Ms.Manjeet Arya, APP.
Complainant present in person.
ASI Om Prakash, PS Hauz Khas.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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30.03.2017

(1) Present petition under Section 482 Cr.P.C. has been preferred by the petitioner for quashing of FIR No.598/97 under Sections 406/420 IPC registered at Police Station Hauz Khas. During trial, charge under Section 406/420/409 IPC was framed by an Order dated 15.03.2003. It is stated that the matter has been settled with the complainant/respondent No.2 amicably.

(2) Respondent No.2-complainant is present before the Court. The Investigating Officer has identified him. I have enquired from the complainant whether the matter has been settled with the petitioner

amicably without fear and pressure. He has informed that the matter has been settled without any fear or pressure and he has no objection to the quashing of the FIR.

(3) The petition is supported by the affidavits of the parties. Memorandum of Understanding/Settlement deed dated 15.03.2012 signed by the parties is on record. I have examined the Trial Court record. Offence under Section 406/420 IPC has been compounded. No evidence has so far been recorded.

(4) Since the complainant/Respondent No.2 has voluntarily settled the dispute with the petitioner, no useful purpose will be served to continue with the proceedings. In the interest of justice and to put an end to the protracted litigation, FIR No.598/97 under Sections 406/420 IPC registered at Police Station Hauz Khas and all the proceedings emanating therefrom are quashed.

(5) The petitioner is, however, burdened with costs of ₹20,000/- to be deposited with Prime Minister Relief Fund within two weeks. The Registry shall ensure the compliance of the order.

(6) The petition and all pending application(s) stand disposed of accordingly.

S.P.GARG, J.

MARCH 30, 2017/sa