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

+ **CRL.M.C. 2412/2017**

VARUN BHATIA & ORS

..... Petitioners

Through: Mr. K.K. Aggrawal and Mr. Aayush
Agrawal, Advs.

versus

THE STATE NCT OF DELHI & ORS

..... Respondents

Through: Ms. Manjeet Arya, APP for State with
SI Pankaj Kumar, P.S. Lahori Gate.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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15.12.2017

FIR No. 369/2005 under Sections 420/467/468/471 IPC was registered against the petitioners at police station Lahori Gate on the complaint of respondent no.2-Bank. It is pointed out that Bank of Saurashtra has been merged with the State Bank of India, Church Mission Road, Fatehpuri, Chandni Chowk, Delhi. It was alleged in the FIR that petitioners approached the Bank on behalf of M/s Purshottam Katha Udyog (India) (P) Ltd. and requested the Bank to purchase one cheque no. 543155 dated 27/04/04 for ₹4.90 lacs drawn by M/s Shambhu Trading Company. This request was accepted and credit voucher was issued. Petitioners changed the figure of ₹4.90 lacs into ₹8.90 lacs by adding one more cheque of ₹4 lacs. These cheques were returned dishonoured on presentation by the Bank.

It is submitted that matter has been amicably settled by the petitioners with the respondent no.2, inasmuch as, settled amount of ₹10 lacs have been paid to the Bank pursuant to the settlement. Respondent no.2 has also issued NOC (Annexure A-3) in favour of the petitioners. Mr. K.P. Singh, Chief Manager, State Bank of India, Fatehpuri Branch, Lahori Gate is present in Court and has been identified by SI Pankaj Kumar of police station Lahori Gate. He admits having settled the matter with the petitioners. He also admits having received the entire settled amount of ₹10 lacs and issuance of NOC by the Bank. He submits that Bank has no objection in case the FIR is quashed.

Keeping in view the settlement arrived at between the petitioners and respondent no.2 voluntarily, inasmuch as, settled amount stands paid, in my view, no fruitful purpose would be served in keeping the criminal proceedings pending. Accordingly, in the interest of justice, aforesaid FIR and the consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

DECEMBER 15, 2017/ga