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

+ CRL.M.C. 2590/2017

SHARMISTHA DEV & ANR

..... Petitioners

Through :Mr. Mahesh Prasad, Mr. Mrigandha
Kumar and Mr. Alok K. Prasad,
Advs.

versus

THE STATE NCT OF DELHI & ORS

..... Respondents

Through :Mr. G.M. Farooqui, APP with SI
Nanag Ram, P.S. Dwarka South for
respondent no. 1
Mr. Rajinder Kumar Uppal and Mr.
T.R. Garg, Advs. for respondent nos.
2 and 3

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **12.07.2017**

Crl. M.A. no. 10774/2017 (exemption)

Allowed, subject to all just exceptions. Application is disposed of.

CRL.M.C. No. 2590/2017

FIR No. 219/2012 under Sections 406/420/468/471/120-B IPC was registered at Dwarka South on the complaint of respondent no. 2. It is submitted that ₹ 21 lacs were given by the respondent nos. 2 and 3 to the

petitioners in the name of their firm, namely, M/s. Shuvam Consultancies & Services Pvt. Ltd. through three cheques. It is submitted that respondent nos. 2 and 3 now have settled their disputes with the petitioners vide a Memorandum of Understanding dated 21st December, 2016; therefore, FIR may be quashed. Respondent nos. 2 and 3 are present in Court along with their counsel and have been identified by SI Nanag Ram, P.S. Dwarka South. Respondent no. 2 submits that he has already received ₹8 lacs, pursuant to the settlement. Respondent no. 3 submits that he has received ₹4 lacs by now and ₹4 lacs are yet to be received, in terms of the settlement. Petitioners have handed over a cheque bearing no. 665165 dated 12th July, 2017 of ₹4 lacs drawn on Yes Bank Ltd. Dwarka, New Delhi in the name of respondent no. 3 towards balance settled amount, which has been accepted by the respondent no. 3, subject to realization. Respondent nos. 2 and 3 submit that they have no objection in case FIR is quashed, subject to realization of the cheque handed over today. Respondent nos. 2 and 3 further submit that they have settled the matter of their own free will and without any undue force, pressure or coercion.

Keeping in mind the settlement arrived at between the petitioners and respondent nos.2 and 3, FIR No. 219/2012 under Sections

406/420/468/471/120-B IPC registered at Dwarka South and the consequent proceedings emanating therefrom are quashed, subject to, however, encashment of the cheque.

Petition is disposed of in the above terms.

A.K. PATHAK, J.

JULY 12, 2017
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