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

+ CRL.M.C. 3375/2017

MOHD ALI & ORS.

..... Petitioners

Through

Mr. Sanjay Srivastav and Mr. Sunil
K. Chaudhary, Advs.

Versus

THE STATE NCT OF DELHI & ANR.

..... Respondents

Through

Mr. G.M .Farooqui, APP with
Inspector Sanjay Kumar Singh, PCR
and SI Avinash Kumar P.S. C.R. Park
for the State
Mr. S.P. Mishra, Adv. with
respondent no. 2 in person

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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22.11.2017

Respondent no. 2 lodged an FIR No. 13/2010 under Sections 380/420/468/471 IPC at Police Station Chitranjan Park alleging therein that someone had withdrawn ₹2,00,000/- from his bank account by manipulating cheque nos. 46523 and 46526. During the investigation, it was revealed that petitioner no. 5 had taken out two cheques from the cheque book of respondent no. 2 while issuing a new cheque book to him. At the relevant

period, petitioner no. 5 was working with the IDBI Bank on *ad hoc* basis. Petitioner no. 4 is husband of petitioner no. 5. Petitioner no. 5 had forged the cheques and pursuant thereof amount was transferred in the account of petitioner no. 1. Petitioner nos. 2 and 3 had also conspired with petitioner no. 1 in the offence. Petitioner nos. 2 and 3 transferred ₹2,00,000/- from the account of respondent no. 2 to the account of petitioner no. 1. Respondent no. 2 is present in Court along with his counsel and has been identified by Investigating Officer/Inspector Sanjay Kumar Singh, PCR. It is submitted that petitioners and respondent no. 2 have settled their disputes amicably; therefore, vide a Settlement Deed dated 10th July, 2017 (Annexure P-3), of his own free will, voluntarily and without any undue force, pressure or coercion. Petitioners have paid ₹65,000/- to the respondent no. 2 towards balance settled amount. Respondent no. 2 submits that with this payment, entire settled amount of ₹2,00,000/- stands paid. He submits that he is not willing to pursue the FIR any further and the same may be quashed.

Keeping in view the facts and circumstances, as detailed above, in the interest of justice, FIR No. 13/2010 under Sections 380/420/468/471 IPC registered at Police Station Chitranjan Park and the consequent proceedings emanating therefrom are quashed, subject to, however, costs of ₹10,000/- to

be deposited by each of the petitioners with the Delhi High Court Bar Association Lawyers' Social Security & Welfare Fund, New Delhi within two weeks. Receipts, evidencing deposit of costs, be produced before the Investigating Officer.

Petition is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

NOVEMBER 22, 2017

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