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

+ **W.P.(CRL) 277/2018**

**NARESH CHAND BHARTI**

.... Petitioner

Represented by: Mr.A.K.Thakur with Ms.Sujata  
Ray, Advocates with petitioner  
in person

versus

**THE STATE GOVT OF NCT OF DELHI & ORS .... Respondents**

Represented by: Ms.Richa Kapoor, ASC for the  
State with ACP S.P.Tyagi,  
Insp.Tulsi Ram and SI  
Mahaveer Prasad, PS Najafgarh

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**  
**23.04.2018**

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By the present petition the petitioner seeks quashing of FIR No.186/2010 under Section 420 IPC registered at PS Najafragh on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State submits that as directed, a Status Report has been filed by the DCP concerned. On instructions from Investigating Officer she further submits that in the above-noted FIR petitioner is the only accused and respondent No.2 the complainant/ injured.

The above noted FIR was filed on the complaint of respondent No.2

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who had applied for ATM card but the same was not delivered to her at her residence despite her approaching the Bank Manager repeatedly. Finally, when she sought cancellation of her ATM card, she realized that withdrawals were made from her account surreptitiously and the amount remaining in her account was ₹24,000/- only. Statement of witnesses was recorded. CCTV footage was also applied but the same was not available with the concerned bank. Learned Additional Standing Counsel states that though the responsibility of the Manager i.e. the petitioner has been fixed who has now paid the amount to respondent No.2 out of his own pocket, and settled the matter with her, but the actual culprit who was involved in this, has not been traced till date and the police will be filing the 'untraced' report very soon.

Statement of respondent No.2 with regard to settlement was recorded by this Court on the last date of hearing i.e. March 23, 2018 and she has signed the order sheet in acknowledgment of her statement made before this Court. Petitioner who is present in Court and is identified by the learned counsel affirms the statement of respondent No.2.

Considering the fact that the Investigating Officer has not been able to trace the accused and in any case accepting his moral responsibility the petitioner has settled the matter with the respondent No.2, this Court finds that no useful purpose would be served in continuance of the proceedings. It would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No.186/2010 under Section 420 IPC registered at  
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PS Najafragh and proceedings pursuant thereto are hereby quashed.

Petitioner has signed this order sheet in acknowledgment of his statement made before this Court.

Petition is disposed of. Order dasti.

**MUKTA GUPTA, J.**

**APRIL 23, 2018**

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