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

+ CRL.M.C. 2562/2018 and CrI. M.A. No. 9098/2018

PRAVIN KUMAR MANDAL & ANR. Petitioners
Through Mr. Sanjeev Kr. Sarwal, Adv.

versus

STATE OF NCT OF DELHI & ANR. Respondents
Through Ms. Manjeet Arya, APP with SI Deepak
Kumar of police station Sunlight Colony
Respondent no.2 in person

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **14.05.2018**

Notice. Learned APP accepts notice for respondent no. 1. Respondent no.2 Ms. Usha Marwa is present in Court and accepts notice. Respondent no. 2 has been identified by SI Deepak Kumar of police station Sunlight Colony.

Respondent no. 2 alleged in the FIR that she received a call from phone no. 7070508545 and the caller asked her to give details of her ATM card number. Caller represented that he was calling from ATM customer care service. She disclosed her ATM card number to him. Subsequently, she came to know that someone had taken out ₹1,27,000/- from her account on different occasions.

Learned APP submits that during the investigation, it was revealed that ₹15,000/- were transferred in the account of petitioner no. 1 Pravin Kumar

Mandal; ₹19,000/- in the account of petitioner no. 2 Diwakar Kumar; ₹33,000/- in the account of Shambhu Mahto; ₹21,000/- in the account of Tanik Lal Tanti and ₹19,000/- in Prabhu Kumar Singh. Investigations are stated to be still in progress. Respondent no. 2 submits that she has settled the matter with the petitioners of her own free will and without any undue force, pressure or coercion. Petitioners have compensated her. Respondent no.2 further submits that she has no objection in case FIR is quashed qua the petitioners.

Keeping in mind the settlement arrived at between the petitioners and respondent no. 2 voluntarily, in my view, no fruitful purpose would be served to keep the criminal proceedings pending. Accordingly, in the interest of justice, FIR 284/2017 under Section 420 IPC registered at Police Station Sunlight Colony and the consequent proceedings emanating therefrom are quashed qua the petitioners only.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous.

Dasti.

A.K. PATHAK, J.

MAY 14, 2018
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