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

+ W.P.(CRL) 2265/2018

ROHIT WADHWAN

... Petitioner

Represented by: Mr.Vaibhav Sharma with Ms.Richa
Singh, Advocates

versus

THE STATE (NCT OF DELHI) & ORS.

... Respondents

Represented by: Mr.Tanuj Bhadana, proxy counsel for
Mr.Avi Singh, ASC for the State
with Insp. Prem Kumar, PS Amar
Colony
Mr.Tarun Goomber, Advocate for
respondents No.2, 3 & 4

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

02.11.2018

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By the present petition the petitioners seek quashing of FIR No.621/2016 under Sections 420/408 IPC registered at PS Amar Colony on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned proxy counsel for learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR petitioner is the only accused, respondent No.2 the company and respondents No.3 and 4 the two Directors of respondent No.2 who lodged the complaint.

Respondents No.3 and 4 the two Directors of respondent No.2 are present in Court and are identified by the learned counsel. They state on their own behalf and on behalf of respondent No.2 company that they have settled the matter with the petitioner vide MOU dated 9th May, 2017 annexed as Annexure 'B' to the present petition. In terms of the settlement, the petitioner has been authorized to recover the sum of ₹28 lakh from the clients of respondent No.2 and deposit the same with respondent No.2 and the respondent No.2 would return a sum of ₹16 lakh to the petitioner No.1 whereafter the petitioner would retain the car Hyundai Elantra bearing registration No.DL 10C D5711 and laptops and the respondents would pay the instalments thereto. They state that in terms of the settlement they do not wish to pursue the above noted FIR and the proceedings thereto and would abide by the terms of settlement arrived at between the parties.

Petitioner who is present in Court and is identified by the Investigating Officer affirms the statement of respondents No.3 and 4 and undertakes to abide by the terms of settlement.

In view of the fact that the parties have amicably resolved their differences of their own free will, volition and without any coercion and no useful purpose will 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.621/2016 under Sections 420/408 IPC registered at PS Amar Colony and proceedings pursuant thereto are hereby quashed.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

NOVEMBER 02, 2018

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