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

+ CRL.M.C. 2529/2015

BIRBAL SINGH YADAV Petitioner

Through: Mr. M.A. Khan, Advocate

versus

STATE OF NCT OF DELHI & ANR Respondents

Through: Ms. Meenakshi Dahiya, APP for the
State

Mr. Solumen Talvkaar, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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08.08.2018

The petition at hand was filed questioning the correctness and legality of order dated 23.05.2015 of the Metropolitan Magistrate in complaint case (CC No.1112/10) of the second respondent involving offences punishable under Section 138 of the Negotiable Instruments Act, 1881. By the said order, process under Section 82 of the Code of Criminal Procedure, 1973 (Cr.P.C.) had been issued against the petitioner.

By proceedings recorded on 30.06.2015, in the wake of submissions that the parties were ready to amicably resolve the dispute, the petitioner was directed to be released on anticipatory bail. The counsel for the petitioner submits that the amount due to the second respondent has already been paid on 19.08.2015, as per the formal agreement executed.

The matter having been resolved as is submitted, further proceedings in this light will have to be undertaken before the court of Metropolitan Magistrate. The interim bail granted by order dated 30.06.2015 is made absolute for the proceedings before the trial court. This renders the impugned order nugatory.

The parties may take out appropriate proceedings before the trial court on the basis of settlement.

With these observations and directions, the petition is disposed of.

R.K.GAUBA, J.

AUGUST 08, 2018

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