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

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Judgment delivered on: 28.09.2018

+ CRL.M.C. 4977/2018

SHAMSUDDIN

..... Petitioner

versus

THE STATE (NCT OF DELHI) & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Alamgir, Advocate.

For the Respondent: Mr. Kewal Singh Ahuja, APP for the State with SI
Janak Singh

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

28.09.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl. M.A. 33185/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 4977/2018 & Crl. M.A. 33184/2018

1. Petitioner seeks quashing of FIR No. 193 of 2016 under Section 174A of IPC registered at Police Station New Friends Colony, (South East District) New Delhi, based on a settlement.

2. The subject FIR was registered consequent to the petitioner being declared as a proclaimed person by order dated 22.03.2016 under section 82 (1) Cr. P.C as he failed to appear in the proceedings initiated under

Section 138 of Negotiable Instruments Act.

3. Complaint had been filed by the complainant against the petitioner under Section 138 of the N.I. Act. Subsequently, petitioner settled with the complainant and appeared before the trial court. The petitioner was arrested and sent to 11 days' Judicial Custody, thereafter was granted bail.

4. It is contended by counsel for the petitioner that the petitioner has settled with the complainant in the complaint filed under Section 138 of the N.I. Act and is willing to pay fine as may be imposed by this court.

5. Keeping in view of the facts and circumstances of the case and also the fact that petitioner has already undergone custody of 11 days, I am of the view that it would be in the interest of justice to close the present proceedings by imposing a fine of Rs. 5,000/- on the petitioner.

6. Accordingly, subject to petitioner depositing fine of Rs. 5,000/- with the Trial Court, within two weeks, the proceedings emanating from subject FIR No. 193 of 2016 under Section 174A of IPC registered at Police Station New Friends Colony, (South East District) New Delhi, are quashed.

7. The petition is disposed of in the above terms.

8. Order *Dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

SEPTEMBER 28, 2018/‘rs’