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

+ CRL.M.C. 5694/2018

VIKRAM SABHARWAL ..... Petitioner

Through: Mr. Anil Soni, Advocate

versus

STATE & ORS ..... Respondents

Through: Mr. Panna Lal Sharma, APP  
with SI Jagdish Kumar, , EOW  
Mr. Rabish Kumar Das,  
Advocate for respondent No.2

**CORAM:**

**HON'BLE MR. JUSTICE CHANDER SHEKHAR**

**ORDER**

% **14.12.2018**

1. The petitioner has moved the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.70/2012, under Sections 66A and 66C of the Information Technology Act, 2000, registered at PS:E.O.W., Delhi and the proceedings emanating therefrom.

2. The petitioner and respondent No.2 along with their respective counsel submitted that the parties have settled their disputes vide Memorandum of Understanding ('MoU') dated 7.9.2018 on their own free will, without any force, pressure or coercion. Learned counsel for the petitioner submitted that the aforesaid FIR was filed due to some misunderstanding and the first party, i.e. the petitioner herein, explained that its IP address

has been misused by some unknown person and the second party, i.e. the complainant/respondent No.2, being satisfied with the explanation of the first party, decided to resolve the issues amicably and get the aforesaid FIR quashed. Learned counsel for the petitioner further submitted that the petitioner is still working with respondent No.2 and he has very good and cordial relations with respondent No.2 for the last 9 years. Learned counsel for the petitioner further submitted that the petitioner may be given a chance to live peacefully as a good citizen.

3. Respondent No.2, present in Court, reiterated the aforesaid facts and also submitted that the settlement has been arrived at between the parties on their own free will, without any force, pressure or coercion and he has no objection to the petition being allowed and the quashing of the FIR.

4. The Investigating Officer ('IO'), who is present in Court, has identified the petitioner as well as respondent No.2 and has also verified the MoU arrived at between the parties. The IO has further stated that no other case is pending against the petitioner and has also filed the status report, which is on record.

5. In view of the aforesaid circumstances and the MoU arrived at between the parties, this Court is of the view that no fruitful purpose would be served in keeping the parties entangled in the criminal proceedings. Accordingly, in the

interest of justice, FIR No. 70/2012, under Sections 66A and 66C of the Information Technology Act, 2000, registered at PS:EOW, Delhi and the proceedings emanating therefrom are quashed, subject to the petitioner depositing Rs. 25,000/- with the Delhi High Court Advocates' Welfare Fund within two weeks. The petitioner shall also deposit Rs.25,000/- with Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 within two weeks and the receipts of the same be filed in the Registry of this Court within twenty days and copies of the said receipts shall also be handed over to the learned APP through the IO. In case the petitioner fails to deposit the aforesaid amount, the prosecution shall be entitled to move an application for passing appropriate orders.

6. Petition is disposed of in above terms.

**CHANDER SHEKHAR, J**

**DECEMBER 14, 2018**

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