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

+ **W.P.(CRL) 3296/2019**

NAVEEN KUMAR

..... Petitioner

Through: Mr Neeraj Sharma, Advocate.

versus

STATE & ANR

..... Respondent

Through: Mr Karanjeet Rai Sharma, Advocate
for Ms Kamna Vohra, ASC for State
with SI Vijay Kumar, PS Sadar
Bazar.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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26.11.2019

CRL.M.A. 41130/2019

1. Allowed, subject to all just exceptions.

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2. The petitioner has filed the present petition, *inter alia*, praying that FIR No.0193/2018 under Sections 380/411/34 of the IPC registered with PS Sadar Bazar and all proceedings emanating therefrom, be quashed.

3. The present petition is premised on the basis that the complainant is willing to compromise the said matter.

4. The complainant had filed the said FIR alleging that 2700-2800 bags had been stolen from his godown. It is stated that the footage from the CCTV camera indicates that some 3-4 boys were carrying the bags from the godown.

5. The learned counsel appearing for the State further states that 914 bags had been recovered from the accused. In addition, certain cash has also been recovered from the accused.
6. The petitioner is aged twenty-one years and there are no criminal antecedents. The petitioner has also been granted bail by the concerned trial court.
7. It is seen that other co-accused is not a party to the present petition and given the nature of offence, this court does not consider it apposite to quash the FIR
8. Undeniably, there are certain mitigating circumstances including the age of the petitioner. Plainly, if the case against the petitioner is established and he is convicted, it would be open for the petitioner to pray for a lenient sentence.
9. The petition is disposed of with the aforesaid observations.

VIBHU BAKHRU, J

NOVEMBER 26, 2019
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