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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3468/2019**

DINESH GUPTA

..... Petitioner

Through: Mr. Ajay Kumar Aggarwal,
Advocate

versus

STATE & ANR

..... Respondents

Through: Ms. Aashaa Tiwari, APP with
SI Amit Kumar, PS:Subhash
Place, Delhi
Mr. Ram Singh Chauhan & Mr.
Amit Chauhan, Advocates for
respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **24.10.2019**

CRL.M.A.31456/2019 (for exemption)

Allowed, subject to all just exceptions. Application stands disposed of.

CRL.M.C.3468/2019 & CrI.M.As.31455/2019

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 against the order dated 4.7.2019 passed by the learned Additional Sessions Judge, North-West Rohini, Delhi and the order dated 22.6.2019 passed by the learned Chief Metropolitan Magistrate, Rohini Courts, Delhi.

2. Learned counsel for the petitioner submitted that the matter stands settled vide Settlement dated 26.8.2019 before the Delhi High Court Mediation & Conciliation Centre and he has already filed a petition for quashing of FIR No.48/2018, under

Sections 420/406/120-B of the Indian Penal Code, 1860 ('IPC'), registered at P.S.:Subhash Place, Delhi. Hence, in view of the settlement, the order dated 4.7.2019 passed by the learned Additional Sessions Judge, North-West Rohini, Delhi and the order dated 22.6.2019 passed by the learned Chief Metropolitan Magistrate, Rohini Courts, Delhi may be set aside.

3. Learned APP for the State as well as learned counsel for respondent No.2 confirmed the factum of settlement and they have no objection if the impugned orders dated 4.7.2019 and 22.6.2019 be set aside.

4. Learned APP also submitted that though the petitioner had been declared proclaimed offender, however separate FIR under Section 470 of the IPC not yet been filed.

5. In view of the above, the order dated 4.7.2019 passed by the learned Additional Sessions Judge, North-West Rohini, Delhi and the order dated 22.6.2019 passed by the learned Chief Metropolitan Magistrate, Rohini Courts, Delhi are set aside. Parties shall remain bound by the terms and conditions of the Settlement Agreement dated 26.8.2019.

6. The petition is accordingly disposed of. Pending application is also disposed of.

CHANDER SHEKHAR, J

OCTOBER 24, 2019

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