GAHC010155482020

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Crl.Pet./540/2020

M/S EASTERN MECHNOTECH
A PARTNERSHIP FIRM HAVING ITS REGISTERED OFFICE AT SUSHILA PLAZA, A.T. ROAD, GUWAHATI, DIST-KAMRUP(M), ASSAM, AND IS BEING REPRESENTED BY ONE OF ITS PARTNERS, SHRI MAHESH KUMAR SETHI, S/O DULI CHAND JAIN, AGED ABOUT 50 YEARS, R/O 7A BLOCK, NEHA APARTMENT, ATHGAON, GUWAHATI-781001, DIST-KAMRUP(M), ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

2:M/S PRACHI INFRATECH
A PROPRIETORSHIP CONCERN OF SMTI PRACHI TYAGI OF VILL-SIMOLU CHAPORI
P.S.-BORPOTHAR
GOLAGHAT
ASSAM AND IS BEING REPRESENTED BY ITS POWER OF ATTORNEY HOLDER
MR. DEVENDRA KUMAR
S/O SRI JEERAJ SINGH
R/O HOUSE NO. 17/18
EAST PUNJABI BAGH
DELHI-11002

Advocate for the Petitioner : MR. P DEKA
Advocate for the Respondent : PP, ASSAM

BEFORE

HON'BLE MRS. JUSTICE RUMI KUMARI PHUKAN

:: O R D E R ::

03-12 -2020

Heard the learned counsel for the petitioner and the learned counsel appearing for the State. Today Mr. S Kakati, learned counsel for the informant has also entered his appearance.

The learned counsel for both the parties has submitted that the matter has been amicably settled by entering into a memorandum of understanding vide annexure-12 and has submitted that all amount dues to the informant has been paid after such amicable settlement and the leaned counsel for the informant has also submitted that he has no more grievance against the petitioner.

I have heard the submission of the learned counsel for both the parties and also gone through the document annexed.

The entire dispute is of civil nature and now as the matter has been settled, they made prayer for quashing of the entire FIR and proceeding thereof.

Having regard to the entirety of the matter which relates to civil dispute and it has been settled by way of proper documentation and the informant has also raised no objection against such prayer made by the petitioner, this Court is of the opinion that further proceeding of Dillai PS Case No. 14/2020 under Section 406/420 will be abuse of process of Court. Accordingly, the entire proceeding of Dillai PS Case No.14/2020 is hereby quashed and set aside.

Petition stands disposed of.

JUDGE

Comparing Assistant