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

+ **W.P.(CRL) 59/2020**

SANJAY SURI

..... Petitioner

Through: Ms Vandana Anand, Advocate along
with petitioner in person.

versus

STATE & ANR.

..... Respondents

Through: Mr Karan Jeet Rai Sharma, Advocate
for Ms Kamna Vohra, ASC for State.
SI Arun Ahlawat, PS Anand Vihar.
Mr Saket Gakhar, Advocate along
with respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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10.01.2020

CrI.M.A. No. 339/2020

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The petitioner has filed the present petition, *inter alia*, praying that the FIR No. 0174/2016 under Sections 420/406 of the IPC registered with PS Anand Vihar (East) and all proceedings emanating therefrom, be quashed.
4. The said FIR was registered at the instance of respondent no.2. Respondent no.2 is present in Court and is identified by the Investigating Officer. He states that all his differences and disputes with the petitioners have been resolved in terms of the Memorandum of Understanding dated 11.01.2018, which was entered into between the parties. A copy of the said

agreement has been placed on record.

5. In terms of the said settlement, the petitioner had agreed to pay a total sum of ₹8,00,000/-, out of which, ₹5,00,000/- was to be paid to Mrs Bimla Dhamija through her husband and authorised representative – Mr Bharat Bhushan Dhamija – and ₹3,00,000/- was agreed to be paid to respondent no.2 towards full and final settlement of all dues.

6. The said settlement agreement also records that both the parties had agreed to withdraw all cases pending between them. Respondent no.2 states that the petitioner has performed his obligations and has paid a sum of ₹8,00,000/-. He states that neither he nor any of the parties of the said settlement agreement have any other disputes or difference with the petitioner. He joins the petitioner in praying that the FIR in question be quashed.

7. The petitioner is present in Court and is identified by his counsel. He also states that he has no differences with the complainant and the subject matter of the FIR in question and the disputes which gave rise to the FIR, have since been resolved.

8. The learned counsel appearing for respondent no.1 also states that respondent no.1 intends to file a closure report in relation to the said FIR.

9. In view of the statements made by the concerned parties (petitioner and respondent no.2), this Court considers it apposite to allow the present petition.

10. Accordingly, FIR No. 0174/2016 under Sections 420/406 of the IPC

registered with PS Anand Vihar (East) and all proceedings emanating therefrom, are quashed.

11. The petitioner and respondent no.2 shall sign this order as an acknowledgement of their statements recorded herein.

12. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

JANUARY 10, 2020
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