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

+ **CRL.M.C. 987/2020**

VINOD KUMAR

..... Petitioner

Through: Mr. Sachin Bansal, Advocate with
petitioner in person.

versus

STATE & ANR.

..... Respondents

Through: Mr. Mukesh Kumar, APP for State
with the Investigating Officer.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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24.02.2020

1. The present proceedings are instituted seeking quashing of FIR No. 494/2019 under Section 408 IPC registered at Nihal Vihar on the ground of settlement having been arrived at between the petitioner and respondent no.2.
2. As per the case of the prosecution, the present FIR has been filed by respondent No.2 against the present petitioner who was working as a collection agent under him and who misappropriated an amount of Rs.10,00,000/-.
3. Learned APP for the State submits that the charge sheet in the present case is yet to be filed. It is further submitted that the petitioner is the accused person and respondent no.2 is the only complainant/victim.
4. Learned counsel for the petitioner submits that the petitioner and respondent no.2 have entered into a settlement on 16.11.2019. A copy of the settlement is annexed with the petition as Annexure P-3. In terms of the

settlement, respondent no.2 is now left with no claim whatsoever against the petitioner.

5. The petitioner and respondent no.2 are present in person and have been identified by the Investigating Officer.

6. Respondent no. 2 states that he has entered into a settlement with the petitioner out of his own free will, volition and without any undue force, pressure or coercion. He further states that he has no objection if the present FIR is quashed.

7. Learned counsels for the parties submit that no other proceedings are pending between the parties.

8. The parties shall remain bound by their statements made in Court today.

9. In view of the settlement arrived at between the parties, in my view, no useful purpose will be served in continuance of the present criminal proceedings. Accordingly, in the interest of justice, the aforesaid FIR, which is at the investigation stage, is hereby quashed, subject to cost of Rs.5,000/- to be deposited by the petitioner with the “*Delhi High Court Legal Services Committee*” within a period of one week.

10. With the above directions, the petition is disposed of.

11. Order *dasti* to the counsels for the parties.

MANOJ KUMAR OHRI, J

FEBRUARY 24, 2020

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