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

+ **W.P.(CRL) 3482/2019**

SHAILENDER SHARMA

..... Petitioner

Through: Mr Kirti Uppal, Senior Advocate with
Mr Harsh Kumar, Ms Bhagya K.
Yadav and Mr Aditya Raj, Advocates.

versus

STATE & ANR.

..... Respondents

Through: Mr R.S. Kundu, ASC for State with
Mr Shivam Saharan and Mr Hitesh
Vali, Advocates.
SI Kapil Khokhar, PS Farsh Bazar.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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30.01.2020

1. The petitioner has filed the petition, *inter alia*, praying that FIR No. 992/2015 under Sections 420/468/471 of the IPC lodged with PS Farsh Bazar and all proceedings emanating therefrom, be quashed.
2. The said FIR was lodged at the instance of respondent no.2. She had alleged that she had issued a cheque of ₹1,300/- drawn on SBI, Anaj Mandi, Shahdara to the petitioner as monthly rent for the premises leased from him. She stated that the petitioner had reported that the said cheque was lost and consequently, she had issued another cheque (cheque bearing no. "778254" for a sum of ₹3,900/-). It is alleged that the petitioner had manipulated the said cheque by writing the word "ninety" before the words "three thousand nine hundred".
3. The complainant alleged that she became aware of the same when she received a message from the bank regarding presentation of the said cheque.

4. The status report indicates that the investigations are complete and the said cheque had not been issued by the complainant. It is now stated that the cheque was issued by her husband.
5. Mr Uppal, learned senior counsel appearing for the petitioner contends that since it is established that the allegations made on the basis of which the FIR was lodged are incorrect, the FIR ought to be quashed.
6. Mr Kundu, learned ASC states that a final report would be filed within a period of four weeks from today.
7. In view of the above, Mr Uppal seeks to withdraw the present petition while reserving all his rights and contentions before the concerned court, if required.
8. The petition is dismissed as withdrawn. All rights and contentions of the petitioner are reserved.

JANUARY 30, 2020
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VIBHU BAKHRU, J