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

+ **CRL.M.C. 142/2019, CRL.M.A. 640/2019**

SUNINDER SANDHA

.....Petitioner

Through: Mr. Devna Soni, Mr. Rayman Singh,
Mr. Adhirath Singh, Advs.

versus

ARUN GUPTA & ORS

.....Respondents

Through: Mr. Neeraj Pandey, Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

04.12.2024

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1. This is a petition seeking quashing of summoning order dated 13.03.2018 passed by learned MM, South District, Saket Courts in C.C. No. 13445/2017 titled as "*Aruna Gupta vs. M/s Concept Horizon Infra Pvt. Ltd. & Ors.*"
2. The summoning order is passed in complaint under Section 138 of the NI Act, 1880 filed by respondent No. 1.
3. Mr. Pandey, learned counsel appears for respondent No. 1 and states that respondent No. 1 has settled the disputes and does not wish to prosecute the complaint.
4. It is also stated by Mr. Pandey, learned counsel that the said settlement is predicated on the fact that at the time when the cheque was dishonoured, the petitioner was not the Director.
5. Parties state that they have arrived at the settlement out of their own



free will without any threat, pressure, coercion or undue influence.

6. I am of the opinion that no useful purpose would be served in prosecuting the complaint vis-à-vis the petitioner any further on the ground that the parties have arrived at a voluntary settlement and settled their disputes.

7. I am convinced that quashing of such proceedings on account of compromise would bring about peace and would secure ends of justice. The Court does not see any fruitful purpose if criminal proceedings as permitted to continue any further. It is a fit case for quashing.

8. In view of the statement of respondent No. 1 with respect to the settlement, the petition is allowed and the summoning order dated 13.03.2018 passed by learned MM, South District, Saket Courts in C.C. No. 13445/2017 titled as “*Aruna Gupta vs. M/s Concept Horizon Infra Pvt. Ltd. & Ors.* along with the complaint vis-a-vis the petitioner is hereby quashed.

9. Respondent No. 3 is at liberty to agitate his grievance against the petitioner and other respondents.

10. This order will not affect any other proceedings in any manner.

JASMEET SINGH, J

DECEMBER 4, 2024/DM

Click here to check corrigendum, if any