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

+ CRL.M.C. 195/2021 & CRL.M.A. 992/2021

SUSHIL AGGARWALPetitioner

Through: Mr. Ankur Gosain, Adv.

versus

IKRAMUL HAQRespondent

Through: Mr. Paramvir Singh Narang and Mr.
Praveen Baisoya, Advs.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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11.12.2024

1. The present petition has been filed seeking the following reliefs:

“a) Quash the complaint being Ct. Case No . 5051/2019 filed by Ikramul Haq (Respondent herein) under Section 200 of Cr. P.C. for the offences under Section 420 and 406 of the Indian Penal Code against the Petitioner pending before Sh. Himanshu Raman Singh, Metropolitan Magistrate - 02, Saket Courts, South East, New Delhi;

b) Quash the summoning order dated 21.07.2020 passed by Sh. Himanshu Raman Singh, Metropolitan Magistrate - 02, Saket Courts, South East , New Delhi against the Petitioner in complaint being Ct. Case No. 5051/2019.”

2. The learned counsel appearing on behalf of the petitioner submits that the present petition arises out of Complaint Case No.5051/2019 in which the present petitioner was arraigned as accused no.10. He submits that the present petitioner was also summoned *vide* order dated 21.07.2020 to stand



trial for the offences under Sections 406 and 420 IPC.

3. He submits that in fact the present petitioner was an employee of co-accused company namely, MVL Ltd. and he had resigned from his services as early as on 01.02.2011.

4. It is further the submission of the learned counsel for the petitioner that during the pendency of the present proceedings, the company has already arrived at a settlement with the respondent (complainant) and in terms of the said settlement, the complainant has handed over four apartments in a finished condition on 29.06.2024 in terms of the order dated 05.07.2023 passed by a co-ordinate bench of this Court in Company Petition No.668/2014.

5. The above position is not disputed by the learned counsel appearing on behalf of the respondent. He submits that the respondent has no objection in case the complaint case as well as order of summoning is quashed *qua* the present petitioner.

6. In the above backdrop, this Court is of the view that the Complaint Case No.5051/2019, entitled ***Ikram ul Haq v. MVL Ltd. & Ors.***, pending in the Court of learned Metropolitan Magistrate -02, Saket Court, as well as, summoning order dated 21.07.2020 deserves to be quashed *qua* the petitioner. Ordered accordingly.

7. The petition stands disposed of.

VIKAS MAHAJAN, J

DECEMBER 11, 2024/aj