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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 1077/2024
FAHD AZEEM & ANR. Petitioners

Through: Mr. Yash Pal Sapra & Mr.
Jatin Sapra, Advs. with
Petitioner No. 1 in person

versus

STATE (NCT OF DELHI)
& ANR.

..... Respondents
Through: Mr. Yasir Rauf Ansari,
ASC for the State with Mr.
Alok Sharma, Mr. Anshul
Saroja & Mr. Deepankar
Wadhwa, Advs.
SI Mukesh Yadav, PS-
Naraina
Mr. Anuj Nanda, Adv. for
R2
R2 through VC

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
04.04.2024

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1. The present petition is filed under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('CrPC') seeking quashing of FIR No. 276/2023 dated 27.09.2023, registered at Police Station Naraina for offence under Sections 406/34 of Indian Penal Code, 1860 (IPC). The FIR was registered on a complaint filed by one Mr. Arjun Munjal, who is arrayed as Respondent No. 2/complainant in the present petition.
2. It is alleged that the complainant was scouting for a sports bike and had approached numerous dealers including Petitioner No.1. The complainant alleged that on false assurances, he



purchased the sports bike from Petitioner No.1 for a sale consideration of ₹13,55,000/-. It is further alleged that Petitioner No.1 misrepresented the complainant about the defect in the motorcycle and when the complainant approached them for a refund of the insurance claim, the same was denied by them.

3. Learned counsel for the parties submit that the parties have settled their disputes and have entered into a settlement.

4. In terms of the settlement, out of the total settlement amount for a sum of ₹11,83,900/-, a sum of ₹10,83,900/- has been paid to Respondent No.2 and the remaining amount of ₹1,00,000/- is paid today by way of Demand Draft No. 000126 dated 07.03.2024 drawn on HDFC Bank.

5. Petitioner No. 1 is present in person and Respondent No. 2 is present through video-conferencing and have been duly identified by the Investigating Officer.

6. Respondent No. 2, on being asked, states that he does not wish to pursue any proceedings arising out of the present FIR and has no objection if the proceedings are quashed.

7. The offence under Section 406 of IPC is compoundable in nature.

8. In view of the above, the present petition is allowed and the FIR No. 276/2023 is quashed.

AMIT MAHAJAN, J

APRIL 4, 2024

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