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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ W.P.(CRL) 2552/2023, CRL.M.A. 24124/2023,
HENGST SE

.....Petitioner

Through: Mr. Aditya Singh, Mr. R, Saha, Mr.
Divyam Aggarwal, Mr. Mayank R,
Advocates and Ms. Neha Sharma,
A/R of petitioner.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondent

Through: Mr. Sanjeev Bhandari, Ld. ASC with
SI Gajender P.S. Punjabi Bagh.
Mr. Aman Sharma, Mr. Pradyuman
Sharma and Mr. Tarun Mehra,
Advocates for R-2.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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10.07.2024

W.P.(CRL) 2552/2023 & CRL.M.A. 19916/2024 (under Section 482
Cr.P.C on behalf of the Petitioner for Quashing FIR No.329/2023 registered
at Police Station Punjabi Bagh)

1. A Writ Petition under Article 226 of the Constitution of India read with Section 482 Cr.P.C. along with an application under Section 482 Cr.P.C has been filed by the petitioner for quashing of the FIR bearing No. 329/2023 dated 11.07.2023 under Sections 406, 420 and 34 IPC, registered at Police Station Punjabi Bagh.



2. The petitioner is a Company incorporated under the law of Germany and is engaged in the marketing, sale and manufacture of filtration products. On 18-19 December, 2014 the petitioner Company executed the JVA with Mr. Jagmeet Seth i.e. respondent No.2, Mr. Avtar Singh Sethi and Ms. Ukar Kaur collectively “Luman Family” for manufacture, purchase, sale of products and solutions in the field of filtration and fluid management. In and around July, 2022 the petitioner Company decided to terminate the JVA and accordingly issued the Termination Notices and terminated the JVA after 12 months i.e. 12.07.2023. the Luman Family on receipt of the Termination Notices, initiated proceedings under the Companies Act, 2013 before the National Company Law Tribunal (NCLT). In the meanwhile the Complainant filed a Complaint under Section 156(3) Cr.P.C before the learned CMM, Tis Hazari Court, Delhi bearing Ct. Case No.786/2023. Pursuant to the Order of learned CMM the FIR No. 329/2023 dated 11.07.2023 under Sections 406, 420 and 34 IPC was registered at P.S. Punjabi Bagh.

3. On 14.03.2024 after detailed deliberation and discussions, the Luman Family and the petitioner Company executed a Settlement Agreement to amicably resolve their disputes through an out of court Settlement. The terms of the settlement are recorded in the Settlement Agreement dated 14.03.2024. Consequent to the Settlement dated 14.03.2024 the respondent No.2 had given a No Objection affirming the contents of the Settlement Agreement and confirming that the disputes have been settled between the parties.

4. It is submitted that since respondent No.2 is no more interested in prosecuting the petitioners, therefore, the Petition be quashed.



5. Ms. Neha Sharma Authorized Representative of the petitioner and Mr. Jagmeet Singh Sethi respondent No.2 have appeared through Video Conferencing. Both the parties endorsed the Settlement dated 14.03.2024 executed between the parties and have agreed to remain bound by the terms of the Settlement. The application is duly supported by the affidavits of the parties. The complainant submits that the matter stands settled with the petitioner and has no objection if the FIR No.329/2023 is quashed against the petitioner on account of the settlement already arrived at between the parties.

6. In view of the submissions made, the Petition is allowed. Accordingly, the FIR bearing No. 329/2023 registered at Police Station Punjabi Bagh, for offences punishable under Sections 406, 420 and 34 IPC with all the subsequent proceedings is hereby quashed *qua* all the petitioners. The NCL petition stands withdrawn. The parties shall remain bound and comply with the terms of the Settlement dated 14.03.2024.

7. The Petition along with pending application stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 10, 2024/va