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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 5201/2024

ISHANT AGGARWAL AND ORS

.....Petitioner

Through: Mr. Ram Kumar, Mr. Gaurav Gupta
and Mr. Sanjay Kumar, Advocates.

versus

STATE OF NCT OF DELHI AND ANRS

.....Respondent

Through: Mr. Satinder Singh Bawa, Ld. APP
for State.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

10.07.2024

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CRL.M.A. 19862/2024 (Seeking Exemption)

1. Allowed, subject to just exceptions.
2. The application is disposed of.

CRL.M.C. 5201/2024

3. The Petition under Section 482 Cr.PC, has been filed by the petitioners, namely, Ishant Aggarwal and Gursharan Aggawal, for quashing of the FIR bearing No. 380/2023 under Section 138 N.I.Act, registered at Police Station Kotwali.
4. The complaint and the petitioners were into business with each other since long time. In the year 2012 the petitioner No.3 was declared NPA and is inoperative since then. The complainant/respondent no.2 has filed a case under Section 138 of N.I. Act against the petitioners and a FIR No.380/2023



dated 26.05.2023 was registered at P.S. Kotwali against the petitioners. In the month of May, 2023 the petitioner No.1 came to know about the pending case under Section 138 N.I Act from the complainant and settled the matter and paid the legitimate due to the complainant/respondent No.2. On 27.05.2023 a Compromise/Settlement Deed was executed between the petitioners and respondent No.2, whereby all the disputes and difference have been amicably settled between them and nothing survives between them.

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

6. The parties are present in the Court and have been identified by their respective counsels. The parties have endorsed the Settlement dated 27.05.202 and have agreed to remain bound by the terms of the Settlement. The complainant is present in the Court and submits that the matter stands settled with the petitioners and has no objection if the FIR No.380/2023 is quashed against the petitioners on account of the settlement already arrived at between the parties.

7. In view of the submissions made, the Petition is allowed. Accordingly, the FIR bearing No. 380/2023 registered at Police Station Sarai Rohilla, for offences punishable under Section 138 N.I Act with all the subsequent proceedings is hereby quashed *qua* all the petitioners.

8. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 10, 2024/va