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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 8811/2024 CRL.M.A. 33685/2024 CRL.M.A. 33686/2024
SHUBHAM KUMARPetitioner
Through: Mr Ram Lal, Adv.
versus

THE STATE GOVT. OF NCT OF DELHI
AND ANR.Respondents
Through: Mr. Hitesh Vali, APP for State.
SI Talwinder Singh, PS Cyber East
R-2 Mr. Dinesh Chander Phuloria in
person

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
11.11.2024

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1. This petition is filed, seeking quashing of FIR No. 5/2022, registered at P.S. Cyber East, Delhi under Section 420 IPC, *qua* the petitioner, on the basis of settlement arrived at between the parties, by MOU dated 13th August 2024, which is on record of this Court.
2. Petitioner is present through VC, while respondent no. 2 is present in Court, both of them are duly identified by IO and the counsel.
3. As per the settlement, outstanding balance of Rs.2,00,050/- is being paid today *vide* DD no.881350 dated 13th September 2024 drawn on Punjab National Bank. The same has been handed over to respondent no.2, who has duly received it in Court and states that he has no objection to quashing of FIR *qua* the petitioner, since he has received the agreed amount.
4. APP for the State points out that there is one accused in the FIR, namely, Gurmeet Kundu, however he is not traceable.
5. Considering the above settlement between the parties and the



chances of conviction of the petitioner being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Accordingly, the petition is allowed. Consequently, the FIR no. 5/2022 registered at PS Cyber East, Delhi under Section 420 IPC and proceedings emanating therefrom are quashed *qua* the present petitioner only. Proceedings relating to other accused Gurmeet Kundu shall continue.

6. Parties shall abide by the terms of settlement.
7. Accordingly, the petition is disposed of. Pending applications are disposed of as infructuous.
8. Order be uploaded on the website of this Court.

ANISH DAYAL, J

NOVEMBER 11, 2024/sm