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

+ **CRL.M.C. 8912/2024 & CRL.M.A. 34116/2024**

AMIT SURESHMAL LODHA

.....Petitioner

Through: Mr. Aseem Atwal, Mr. Aditya
Sharma and Mr. Aditya Raj,
Advocates.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Pradeep Gahlot, APP for State
with MS. Ridam Arora, Mr. Mohit
Sharma, Mr. Harsh Kumar Singh,
Advocates
Mr. Rakesh Kumar, Ms Sangeeta
Gupta and Ms Bhavna, Advocates for
R-2 with Mr. Saurabh Malhotra, AR
of respondent no.2

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

18.11.2024

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1. This petition has been filed seeking quashing of FIR No.62/2024 registered at P.S. Barakhamba Road, under Section 174A IPC.
2. Counsel for the petitioner points out that the matter arises out of an original complaint under Section 138 of Negotiable Instruments Act, 1881 where the petitioner was the accused and the revision petition before the ASJ-04, Patiala House Courts, Delhi was withdrawn on 8th July, 2024. However, it transpired later that the settlement was not agreeable to the respondent/complainant.
3. Parties have, however, amicably resolved their disputes. An amount



of Rs.3.85 lakhs have been paid to respondent no.2/complainant, which is confirmed by Mr. Saurabh Malhotra, AR of respondent no.2, who is present in the Court today. Mr. Saurabh Malhotra states that he has no objection to the FIR being quashed.

4. Counsel for petitioner states that, as regards complaint under Section 138 NI Act, they shall be taking steps to move an appropriate application for compounding.

5. Heard submissions by the APP on behalf of State.

6. Considering that offence alleged was under Section 174A IPC and that substantial time was consumed to ensure the appearance of the petitioner, costs of Rs.75,000/- are imposed on the petitioner, to be deposited with the DHCBA Lawyers Social Security & Welfare Fund within a week from today. Affidavit of compliance be filed by the petitioner within a week thereafter.

7. Considering the circumstances in question that petitioner did appear before the Court through VC since he is a resident abroad, and was not evading appearance in any manner, and that proceedings under Section 82 Cr.P.C. against him continued despite his application for stay of proceedings, and other attendant circumstances, this Court is of the view that no purpose will be served in continuing these proceedings. Accordingly, FIR No.62/2024 registered at P.S. Barakhamba Road, under Section 174A IPC and proceedings emanating therefrom are quashed.

8. Pending application is disposed of as infructuous.

9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

NOVEMBER 18, 2024/sm/sc