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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 8973/2024**
ASIFKHAN & ORS.

.....Petitioner

Through: Mr. Ghanshyam Sharma, Mr. Vikas
Sharma, Advs.

versus

STATE GOVT OF NCT DELHI & ANR.

.....Respondent

Through: Mr. Aashneet Singh, APP
SI Narendra Singh, PS Kalkaji
Mr. Ankur Chaudhary, Adv. for R2

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER
18.11.2024

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CRL.M.A. 34368/2024-EX.

Allowed subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 8973/2024

1. This is a petition filed under section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') seeking quashing of the FIR No. 252/2008, dated 01.06.2008 registered at PS Kalkaji, Delhi under sections 379/419/420/468/471/120 B IPC, 1860.
2. Briefly stating the facts are that a company namely Elbee Express, represented by its manager namely, Mr. Praveen Chaudhary i.e. respondent no. 2/complainant deals in delivering of some banking secured products like Debit Cards, Credit Cards etc provided by different banks for delivering the



same to the individual customers. As per the FIR, respondent no. 2 had received several notices indicating that the sealed envelope sent by respondent no. 2 to the individual customers did not contain the credit cards but had thick card boards instead.

3. It was alleged that petitioner No.1 along with his accomplices i.e. petitioner Nos. 2 to 5 were stealing the credit cards which has caused undue loss to respondent no. 2.

4. After the investigation, the charge sheet has also been filed and the case is now at the stage of prosecution evidence before the trial court.

5. During the pendency of the proceedings, the petitioners and respondent no. 2 have arrived at a settlement on 29.05.2024, wherein respondent no. 2 has agreed to settle the disputes and cooperate in quashing of the FIR for a sum of Rs 50,000 payable by the petitioners to respondent no.2.

6. The petitioners namely, Mr. Asif Khan (petitioner no. 1), Mr. Vijender Bhat (petitioner no.2), Mr. Pramod Kumar (petitioner no. 3), Mr. Deepak Kumar (petitioner no. 4) and Mr. Virender Kumar (petitioner no. 5) are present in court and have been identified by their counsel i.e. Mr. Ghanshyam Sharma, Advocate.

7. Respondent no.2 i.e. Mr. Praveen Chaudhary is also present and has been identified by SI Narendra Singh, PS Kalkaji and his counsel i.e. Mr. Ankur Chaudhary, Advocate.

8. Both the parties state that they have entered into the aforesaid settlement out of their own free will, volition and without any threat, force, undue influence or coercion.

9. Since the parties have arrived at a settlement and no disputes are



pending, I am convinced that quashing of such proceedings on account of compromise would bring about peace and would secure the ends of justice. This court does not see any fruitful purpose if criminal proceedings are permitted to be prosecuted any further. It is a fit case for quashing. In this view of the matter, there is no reason to continue the proceedings.

10. Mr. Sharma, learned counsel for the petitioner states that each of the petitioners shall pay Rs. 3,000/- to DHCLSC within 4 weeks from today.

11. For the reasons noted above, FIR No. 252/2008, dated 01.06.2008 registered at PS Kalkaji under sections 379/419/420/468/471/120-B IPC, 1860 and all consequential proceedings arising therefrom are hereby quashed.

12. The proof of the payment be filed with the Registry within 5 weeks, failing which the file shall be put up before the Court.

13. With these directions, the petition is disposed of.

JASMEET SINGH, J

NOVEMBER 18, 2024 / (MS)

Click here to check corrigendum, if any