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

+ CRL.M.C. 9023/2024 & CRL.M.A. 34527/2024

KAMAL & ANR.

.....Petitioner

Through: Mr. Aakash Gakhar & Mr. Achin
Sondhi, Advocates

versus

THE STATE (NCT OF DELHI) & ANR.

.....Respondent

Through: Mr. Pradeep Gahlot, APP for State
with Ms. Ridam Arora, Mr. Mohit
Sharma, Mr. Harsh Kumar Singh,
Advocates
SI Jag Mohan PS Nihal Vihar

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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19.11.2024

1. This petition has been filed seeking quashing of e-FIR No.80111279/2024 dated 2nd October 2024 registered at P.S e- Police Station (Nihal Vihar, Outer District), basis settlement between the parties dated 4th November 2024, which is on record of this Court.
2. Background facts are that petitioner no. 1 borrowed jewellery from petitioner No. 2 and procured a gold loan from Muthoot Finance Limited by mortgaging the jewellery. Petitioner no. 1, then in October 2024, got the jewellery released from Muthoot Finance after procuring a loan from respondent no. 2 and paying Muthoot Finance Limited the loan that they had taken. Petitioner no. 1 returned the jewellery to petitioner no.2. however, there was some misunderstanding since respondent no.2 had advanced the loan on the basis of security of jewellery, which was not provided to them and said e-FIR was registered.
3. Petitioners and respondent no.2 have now amicably settled their



disputes as per which petitioner no.1 is providing DD No. 507273 for an amount of Rs.13.50 lakhs drawn on ICICI Bank, which is being tendered to Mr. Virender Singh, AR of respondent no.2, who is present in the Court today and accepts the same. The AR is duly identified by the IO and the counsel.

4. Mr. Virender Singh, AR of respondent no.2 states that respondent no.2 has no objection to the FIR being quashed since the draft covers the loan that was advanced to petitioner no.1.

5. The jewellery, which forms part of the case property, taken from the possession of petitioner no.2 be released to Mohit Sharma on an undertaking to be given by him on an affidavit before the Trial Court stating that the jewellery belongs to him and in the event, it is claimed by someone else, he shall cooperate with the legal process. Aside from this, the Magistrate is at liberty to impose any other condition, as may be deemed necessary, in accordance with law.

6. With these observations and directions, e-FIR No.80111279/ 2024 and proceedings emanating therefrom are quashed. Pending application is disposed of as infructuous.

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

ANISH DAYAL, J

NOVEMBER 19, 2024/sm/tk