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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 9422/2024 & CRL.M.A. 36155/2024, CRL.M.A.
36156/2024
BIPIN KUMAR MISHRA AND ANR

.....Petitioner

Through: Mr. Ashutosh Kr. Jha, Adv. for P1
Mr. Vinod Tyagi, Adv. for P2

versus

THE STATE (NCT OF DELHI) AND ANR.

.....Respondent

Through: Ms. Priyanka Dalal, APP
ASI Karan Singh, SI Kishan Chand, PS Dwarka
South
Ms. Mehak Arora, Mr. Arush Kapoor, Advs.

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER
02.12.2024

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1. This is the petition filed under Section 528 of BNSS, 2023 seeking quashing of the FIR No. 104/2024 dated 21.03.2024 registered at PS Dwarka South under Sections 408 of IPC and the consequential proceedings arising thereafter.
2. As per the FIR, it is stated that the petitioners were Accountants in the company named M/s Magic Auto Pvt. Ltd. and were fabricating by accepting cash, creating cash vouchers and misappropriating money belonging to the Company.
3. During the pendency of the proceedings, the parties have arrived at a settlement agreements dated 07.10.2024, 09.10.2024 and 23.10.2024, wherein the petitioner No. 1 has paid a sum of about Rs. 9.5 lakhs and



the petitioner No. 2 has paid a sum of about Rs. 7.57 lakhs.

4. The petitioner Nos. 1 and 2 are present in court and are identified by Mr. Ashutosh Kr. Jha and Mr. Vinod Tyagi, learned counsels. The respondent No. 2 is also present through Mr. OP Kathuria (GM), and has been identified by Ms. Mehak Arora, learned counsel.
5. He states that the matter has been settled and the entire amount has been received.
6. The parties state that they have arrived at a settlement out of their own free will and without any threat, pressure, coercion or undue influence.
7. I am satisfied that the matter has been settled and the settlement is lawful. Since the parties have arrived at a settlement and no disputes are pending, I am convinced that quashing of the present FIR and the consequential proceedings emanating thereafter would bring peace and secure ends of justice.
8. In view of the above facts and since no useful purpose will be served in continuance of the present criminal proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed.
9. With these observations, the present petition is disposed of.

JASMEET SINGH, J

DECEMBER 2, 2024 / (MS)

Click here to check corrigendum, if any