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

+ **CRL.REV.P. 469/2016**

**T.V. KRISHNAMURTHY**

.....Petitioner

Through: Mr. Sachin Jain, Mr. Hardeep S  
Sodhi, Advocates

versus

**AGAM AGGARWAL & ORS**

.....Respondents

Through: Mr. Pawan Kumar Ray, Ms. Shresth  
Nanda, Mr. Mahipal, Advocates for  
R-4 and R-5 with R-4 and R-5 in  
person.

**CORAM:**

**HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA**

**ORDER**

**21.01.2025**

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1. Respondent no. 4 is present in Court.
2. On behalf of Respondent No. 5, a certificate issued by the concerned doctor of Escorts Heart Institute and Research Centre Ltd. has been filed. Based on this certificate, learned counsel for Respondent No. 5 states that Respondent No. 5 has been advised to remain at home and take rest.
3. He states that payments, as per the statements made before this Court on 30.08.2024 and 12.07.2019, have been made to the Petitioner by Respondent Nos. 4 and 5.
4. He states that the complainant as well has acknowledged that the dispute inter-se between the complainant and Respondent nos. 4 and 5 now stands settled; after having received the payments.
5. He states that in view of the said settlement, no further proceedings in the complaint case can be pursued by the Petitioner against Respondent nos.



4 and 5. He also relies upon the proceedings recorded before the learned Trial Court on 14.01.2025.

6. He states that since payments were made by the complainant to the company in which Respondent nos. 1, 4 and 5 were directors the liability to re-pay the amount to the complainant has to be borne by all the three Directors equally. He states that complainant has recovered 2/3<sup>rd</sup> of his payments and the balance 1/3<sup>rd</sup> is payable by Respondent no. 1.

7. Learned counsel for the Petitioner confirms that the complainant has resolved his disputes with Respondent Nos. 4 and 5 upon receipt of the said monies, while reserving his right to pursue the complaint case against Respondent no. 1 for the balance 1/3<sup>rd</sup> amount.

8. He states that complainant will appear before the learned Trial Court for withdrawal/compounding of the complaint qua Respondent nos. 4 and 5. He however states Respondent nos. 4 and 5 must be directed to appear as witnesses to prove the claim of the complainant qua Respondent no. 1.

9. In response, learned counsel for Respondent Nos. 4 and 5 confirms that Respondent Nos. 4 and 5 will appear as witnesses in the complaint case in support of the complainant.

10. The statements of the parties are taken on record and the parties are bound down to the same.

11. Respondent nos. 4 and 5 are directed to file all documents evidencing the payment and settlement inter-se the complainant and Respondent nos. 4 and 5.

12. Moreover, in view of the above, Respondent nos. 4 and 5 are exempted from any further appearance before the Trial Court.

13. Learned counsel for the Petitioner states that since the complaint case



is now proceeding further, the Petitioner is not pressing the relief sought in the present petition.

14. Accordingly, the captioned petition stands disposed of along-with all pending applications, if any.

15. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, [www.delhihighcourt.nic.in](http://www.delhihighcourt.nic.in), shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

**MANMEET PRITAM SINGH ARORA, J**

**JANUARY 21, 2025/mt/AKT**

*Click here to check corrigendum, if any*