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

+ **CRL.M.C. 5984/2024 and CRL.M.A. 22857/2024**

ARCHANA MEHTO

.....Petitioner

Through: Mr. Ankur Mishra, Adv.

versus

NEELAM GUPTA

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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05.08.2024

CRL.M.A. 22857/2024 (Exemption)

1. Exemption allowed subject to just exceptions.
2. Application stands disposed of, accordingly.

CRL.M.C. 5984/2024

1. This petition has been filed seeking quashing of criminal complaint No.3217/2017 under Section 406 IPC. As per the petitioner, the allegation was that the petitioner had issued two cheques in favour of the complainant and each amount to the Rs.5 Lacs.
2. Initially, a complaint was lodged but was not registered as an FIR considering it was of civil in nature.
3. In 2017, complainant due to the civil case against the petitioner which has since been decreed for Rs.6 Lacs + interest, the petitioner having returned Rs.4 Lacs, as is evident from the order dated 31st January, 2019 of the ADJ, Karkardooma Courts.



4. A further amount of Rs.6 Lacs has since been paid through bank transactions of 2019 (Rs.1.5 Lacs) and two transactions of 2022 (Rs.3 Lacs and Rs.1.5 Lacs each).
5. The matter was sent for mediation in February 2024. However, it failed and the matter is listed on 08th October, 2024 for pre-charge evidence.
6. In these circumstances, issue notice to the respondent on steps being taken by the petitioner through all permissible modes including email.
7. List on 26th September, 2024.
8. Order be uploaded on the website of this Court.

ANISH DAYAL, J

AUGUST 5, 2024/MK