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

+ **CRL.M.C. 8384/2024**

DESH DEEPAK

.....Petitioner

Through: Mr. Amit Kumar Chawla and Mr.
Hitesh Kumar Sharma, Advocates.

versus

THE STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Ms. Shubhi Gupta, APP for the State
with SI Bharti, P.S.: Dwarka North.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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23.10.2024

CRL.M.A. 32015/2024

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

CRL.M.C. 8384/2024

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks quashing of the proceedings initiated *vide* order dated 20.11.2019 passed by the learned Metropolitan Magistrate-06, South West, Dwarka Courts, New Delhi, arising from case FIR No.25/2010 dated 19.01.2020 registered under sections 448/341/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Dwarka North, Delhi.

2. The genesis of the matter is a cancellation report filed by the Investigating Officer in the subject FIR, which was accepted by the



learned Magistrate, leading to the filing of a protest petition, which protest petition was dismissed. Furthermore, the learned Magistrate had directed the initiation of proceedings under section 182 of the IPC against the complainant in the subject FIR, namely Desh Deepak who is the petitioner before this court.

3. The petitioner has however premised the present quashing petition on a Memorandum of Settlement dated 25.08.2023 signed between the *petitioner* and the *accused* in the subject FIR.
4. When queried as to how the present petition is maintainable based on a settlement with the accused, since the proceedings in question were initiated under section 182 of the IPC on orders of the learned Magistrate, learned counsel appearing for the petitioner seeks some time to examine the matter.
5. For the above purpose, re-notify on 5th February 2025.

ANUP JAIRAM BHAMBHANI, J

OCTOBER 23, 2024

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