

Delhi High Court

Joseph Chacko vs State & Ors. on 9 January, 1998

Equivalent citations: 1998 IVAD Delhi 875, 74 (1998) DLT 33

Author: A Srivastava

Bench: A Srivastava

JUDGMENT A.K. Srivastava, J.

1. Respondent No.2 after service is present in Court, duly identified by Counsel for the petitioner.
2. Mr. Chetan Sharma, counsel for respondent No.2, present in Court says that due to some misunderstanding, the FIR being challenged in these proceedings was lodged against the petitioner. He says that he has received the entire money which was taken away by the petitioner drawn from the bank. He further says that now he does not wish to pursue the FIR. The offence under Section 408 is non-compoundable and that is why the petitioner has approached this Court under Section 482. Though, under the settled law the ground taken here may not be a ground for quashing the FIR, but considering the facts and circumstances of this case, the same is being done as an exceptional case, to avoid unnecessary criminal proceedings. In this view of the matter, the FIR No. 232 of 1996, P.S. Preet Vihar under Section 408 IPC and the proceedings thereupon pending in the Court of Ms. Pinki, M.M.Karkardooma, as stated by the Counsel for the petitioner are hereby quashed.
3. Let a copy of the order be sent to the concerned Magistrate.