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% 29.09.2008

Present: Mr. Peeush Kulshreshta for the petitioner.  
Mr. Pawan Sharma APP for the State.

+ **Crl.M.C. No.3033/2008**

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By way of the present petition filed under Section 482 CrPC, the petitioner seeks quashing of the FIR No. 229/2004 registered under Section 380/411/34 IPC PS Geeta Colony, Delhi, and the proceedings arising therefrom.

Counsel for the petitioner submits that the name of the petitioner is not mentioned in the FIR and no recovery was effected of the stolen goods from the petitioner. Counsel further submits that the petitioner was implicated in the present case only on the disclosure statement given by Islamuddin. Counsel further submits that as far as the petitioner is concerned, the matter has been settled amicably with the complainant i.e., respondent No.2 herein. Respondent No.2 is present in person. He is identified by the counsel for the petitioner.

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Mr. Pawan Sharma, APP appearing for the State submits that the FIR can be quashed only against the petitioner and not the other two co-accused persons involved in the present FIR.

Considering the facts and circumstances of the case and the fact that respondent No.2 does not wish to proceed against the petitioner in the said criminal case, and also due to the fact that the petitioner was implicated in the present case on the disclosure statement of Islamuddin, I am of the view that no useful purpose will be served to keep the present FIR unnecessarily alive as against the petitioner any further, and therefore, the FIR No. 229/2004 registered under Section 380/411/34 IPC PS Geeta Colony, Delhi, and the proceedings arising therefrom are hereby quashed only qua the petitioner.

With these directions, the petition stands disposed of.

**September 29, 2008**  
raj

  
**KAILASH GAMBHIR, J.**