

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

**Cr. M. P. No. 1536 of 2020**

Ashwani Kumar Agnimitra @ Ashwin Agnimitra

.... . Petitioner(s)

Versus

1.The State of Jharkhand.

2.Om Prakash Kumar

.. . . .Opp. Party(s)

With

**Cr. M. P. No. 1515 of 2020**

Ashish Malhotra

.... . Petitioner(s)

Versus

1.The State of Jharkhand.

2. Om Prakash Kumar

.. . . .Opp. Party(s)

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**CORAM :HON'BLE MR. JUSTICE GAUTAM KUMAR CHOUDHARY**

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For the Petitioner(s) :

Mr. Ajit Kumar, Sr. Advocate

Mr. Chanchal Jain, Advocate

For the State :

Mr. V. K. Vashistha, SPP

For the O.P. No.2

Mr. Faiyaj Alam, Advocate

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**05/ 11.12.2023.**

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Heard, learned counsel for the parties.

1. Both these aforesaid Cr. M. Ps. arise out of common FIR, as such, they are being heard together and disposed of by this common order.
2. Both these aforesaid Cr. M. Ps. have been filed for quashing the entire criminal proceeding in connection with Khunti P.S. Case No.48 of 2020 registered for the offence under Sections 406, 417, 420, 465, 468 IPC and the case is pending in the Court of learned CJM, Khunti.
3. The case of the complainant, in brief, is that petitioners were the Directors of Daksys Academy Private Limited (DAPL). The agency of the complainant was engaged in providing catering service to the company of the petitioners and after the service, there was an outstanding of about Rs.16 Lakhs after payment of Rs.4 Lakhs by the petitioner(s) which was misappropriated by them.
4. The instant Cr. M. Ps. are being pressed on the ground of compromise arrived at between both the sides. In this regard, a joint compromise petition has been filed before this Court duly signed by both the sides vide I.A. No.8838 of 2023.
5. It is submitted by learned Senior counsel for the petitioner (s) that all the Sections are compoundable in nature except Sections 465 & 468 IPC, but it will not be made out on the averments made in the complaint petition.
6. Learned counsel for the Opp. Party No.2 has raised no objections and has admitted the factum of compromise between both the sides.
7. Under the circumstances, the entire criminal proceeding in connection with Khunti P.S. Case No.48 of 2020 is set aside in terms of the compromise.

Both the aforesaid Cr. M. Ps. are disposed of.

I.A. No.8838 of 2023 is also disposed of.

**(Gautam Kumar Choudhary, J.)**

Sandeep/Uploaded.