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

+ **W.P.(CRL) 1844/2016**

PURUSHOTTAM KUMAR ARYA & ORS

..... Petitioner

Through: Mr. A.K. Trivedi, Advocate

versus

STATE OF NCT OF DELHI & ANR

..... Respondent

Through: Ms. Kamna Vohra, ASC
Mr. Vipin Sanduja for R-2

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
03.10.2016

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The petitioner has preferred the present petition to seek the quashing of FIR No.499/2015 under Section 307/387/395/427/454/456/457/468/506 and 120B IPC on the basis of the complaint of respondent No.2.

The petitioner relies on the condition imposed in the order dated 10.12.2015 passed in Bail Appl no.2124/2015. According to the petitioner, the disputes between the parties stand settled and, therefore, the FIR in question and the proceedings arising therefrom deserves to be quashed as no useful purpose would be served in keeping the same pending.

Counsel for respondent No.2 points out that in this order there is no undertaking given by the complainant to withdraw his complaint or agree to

the quashing of FIR particularly when clause B(ii) has not yet been complied with inasmuch, as, the balance amount of arrears of rent has not been paid as the said aspect is still pending in the court of the competent jurisdiction.

Learned counsel for the petitioner, therefore, seeks liberty to withdraw the petition and re-file the same once the determination of liability of the petitioner has been made by the competent court and the same has been discharged.

Dismissed as withdrawn with liberty as prayed for.

VIPIN SANGHI, J

OCTOBER 03, 2016

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