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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ W.P.(CRL) 1725/2016
ASHWANI MARWAHA & ORS

Through

..... Petitioner
Ms D. Gosain and Mr Vishu Agarwal, Adv.
alongwith petitioners in person

versus

STATE OF NCT OF DELHI & ORS

Through

..... Respondent
Ms Nandita Rao, ASC for the State alongwith
Investigating Officer (presence not given)
Mr Ritesh Obseroi, Adv. for R2 alongwith R2 in
person

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

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30.05.2016

This is a petition under Art. 226 of the Constitution read with S. 482 Cr.P.C. moved by the petitioners for quashing of FIR No.0259/2016 registered at Police Station Rajouri Garden, Delhi under Ss.354A/506/509/34 IPC and consequent proceedings emanating therefrom on the ground that the parties have compromised the matter.

It is submitted by counsel for the petitioners that basically it is a landlord-tenant dispute. The matter has been amicably settled between the parties on 15.05.2016 according to which the respondent no.2 will hand over the physical possession of the premises in question to the petitioners and today the keys of the premises has been handed over to the petitioners by the respondent no.2. The compromise deed entered between the parties is annexed to the petition at pgs. 18 – 20. It is, therefore, submitted that since the parties have amicably resolved all their disputes, the present FIR be quashed.

The respondent No.2/complainant, who is present in person (duly identified by the Investigating Officer of the case as well as her counsel) submits that she has amicably resolved all disputes with the petitioners as both the parties want to live peacefully. She further states she has handed over the physical possession of the premises to the petitioner and the keys of the premises has been handed over by her to the petitioners today in the Court. As such, she does not want any action against the petitioners and has no objection to quashing of the instant FIR.

Ms Nandita Rao, ASC for the State submits that in view of the settlement arrived at between the parties, she has no objection to quashing of FIR.

Keeping in view the facts that basically it was a landlord – tenant dispute which has been

amicably settled between them. Possession of the premises has been handed over by the respondent no.2 to the petitioners by handing over the keys of the premises today in the Court, this matter deserves to be given a quietus as continuance of proceedings arising out of the FIR in question would be an exercise in futility and wastage of precious time of the Court.

Accordingly, the petition is allowed and the FIR No.0259/2016 registered at Police Station Rajouri Garden, Delhi under Ss.354A/506/509/34 IPC and consequent proceedings emanating therefrom are hereby quashed.

The petition stands disposed of accordingly.

A copy of this order be given *dasti* to counsel for the petitioners.

SUNITA GUPTA, J

MAY 30, 2016/*rd*