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

+ W.P.(CRL) 2101/2017

ANGOORI DEVI & ORS

..... Petitioners

Through: Mr.Rohit Minocha, Advocate with
Mr.Chaitanya Sahoo, Advocate along with
petitioners in person.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Mr.Ashish Negi, Advocate for
Ms.Richa Kapoor, ASC for State with SI
Nipendra Kumar, PS Madhu Vihar, Delhi.
Respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

06.09.2017

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1. Status report has been filed.
2. Respondent No.2 is present. She is duly identified by the IO SI Nipendra Kumar.
3. The petitioners have invoked the writ jurisdiction of this court under Article 226 of the Constitution of India read with Section 482 of Code of Criminal Procedure, 1973 (in short "Cr.P.C.") for quashing of the FIR bearing No. 124/2017, registered against them on 20.04.2017 with Police Station Madhu Vihar, East District, Delhi under Sections 420/406/467/468/471/120B/506/34 IPC on the complaint of respondent No.2.

4. Petitioner no. 2 had filed a Civil Suit No. 210/2013 before the learned Civil Judge, Karkardooma Courts, Delhi against the respondent no. 2 and her husband titled as “Kali Charan vs. Uttam Kumar Rastogi & Anr.” for declaration and injunction. Respondent no. 2 had also filed a Civil Suit No. 2383/2014 against the petitioner no.1 and 2 in this court titled as “Smt. Manisha Rastogi Vs. Anguri Devi & Anr., which was later on transferred to the court of learned ADJ, Karkardooma Courts, Delhi and was registered as CS 2453/2016.
5. Pursuant to a reference of the civil court, the petitioners and the respondent no. 2 had appeared before the learned Mediator, Delhi Mediation Centre, Karkardooma Courts, Delhi. On 07.06.2017, the parties had amicably settled and resolved all their disputes before the Mediator. It was agreed that the petitioner no. 1 and 2 shall handover the peaceful and vacant possession of the property in question i.e. US-41-A, Gali No. 1, Uttari School Block, Mandawali, Fazalpur, Delhi-110092 to the respondent no. 2 on or before 05.06.2017. It was also settled that the petitioner no. 2 shall surrender the electricity connection to the BSES. On getting back the possession, it was also agreed that the respondent no. 2 shall withdraw the civil suit filed by her and the petitioners shall also withdraw their suit from the concerned courts.
6. The respondent No.2 states that she had voluntarily resolved all disputes with the petitioners without any coercion or force.
7. Pursuant to this settlement, the respondent no. 2 submits that

she has received vacant and peaceful possession of the said property from the petitioners. She submits that the petitioners had also surrendered the electricity connection pertaining to the said property to the BSES. She submits that she had withdrawn her civil suit filed against the petitioners from the concerned court. Petitioner no. 1 and 2 submit that pursuant to the mediation settlement they had withdrawn their civil suit from the concerned court.

8. Respondent no. 2 submits that in view of the mediation settlement, she does not want to pursue the said FIR. She submits that the said FIR may be quashed.
9. Learned ASC through the IO submits that the charge sheet has so far not been filed.
10. Since the matter has been amicably settled between the parties, no fruitful purpose would be served in further pursuing the said FIR. Hence, to secure ends of justice, the FIR bearing No. 124/2017, registered against them on 20.04.2017 with Police Station Madhu Vihar, (East Delhi District), Delhi under Sections 420/406/467/468/471/120B/506/34 IPC and proceedings arising out of the said FIR are hereby quashed.
11. The petition is disposed of accordingly.
12. *DASTI.*

VINOD GOEL, J.

SEPTEMBER 06, 2017

"shailendra"