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

+ **CRL.M.C. 4352/2017**

ASHA VINAYAK & ORS

..... Petitioners

Through: Mr. Jayant K. Sud, Sr. Adv. with Mr
Honey Khanna, Ms. Vaishali Soni
and Mr. Mansih Lamba, Advs.

versus

STATE NCT OF DELHI & ORS

..... Respondents

Through: Ms. Meenakshi Dahiya, APP for
State.

Counsel for R-2 to R-4 along with R-
2 (Attorney of R-3 & R-4) in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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27.10.2017

Crl. M.A. 17649/2017

Allowed, subject to all just exceptions.

Application is disposed of.

Crl. M.C. 4352/2017

Present FIR No. 373/2017 under Sections 420/406/34 IPC was registered at police station Saket. The FIR was registered on the complaint of respondent no.2 as Attorney of respondent nos. 3 and 4. Property disputes with regard to sale and purchase of a property bearing no. C-74, Golf View Apartment, Saket, Delhi between the petitioner no.1 and

respondent nos. 3 and 4 had led to registration of present FIR. It is submitted that petitioner no.1 and respondent nos. 3 and 4 have now settled their disputes amicably vide Memorandum of Understanding (MOU) dated 20th October, 2017, which has been duly signed and executed by the petitioner no.1 for herself and also for petitioner nos. 2 to 4 and by the respondent no.2 on behalf of respondent nos. 3 and 4 being their Attorney.

Respondent no.2 is present in Court along with his counsel. He admits that MOU has been signed and executed by him as Attorney of respondent nos. 3 and 4. In terms of the settlement, petitioner no.1 has to execute sale deed in respect of the aforementioned property in favour of the respondent nos. 3 and 4 before the Sub Registrar Office on or before 10th November, 2017. Petitioner no.1 undertakes to execute the sale deed before the Sub Registrar Office on 10th November, 2017 on receipt of payment of balance sale consideration of ₹55 lacs from the respondent nos. 3 and 4. Counsel for the respondent nos. 2 to 4 submits that private respondents would cooperate petitioner no.1 in getting the sale deed executed and make payment at the time of execution of sale deed. Learned senior counsel for the petitioner submits that possession will be handed over on execution of the sale deed.

In view of the settlement arrived at between the petitioners and

respondent nos. 3 and 4 through respondent no. 2, aforesaid FIR, which is at the investigation stage, is quashed subject to, however, petitioner no.1 executing the sale deed in respect of the aforementioned property in favour of respondent nos. 3 and 4 before the Sub Registrar Office on or before 10th November, 2017 on receipt of balance sale consideration of ₹55 lacs. It is made clear that in case petitioner no.1 fails to execute the sale deed on or before 10th November, 2017 despite receiving ₹55 lacs, FIR shall stand revived.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous.

Dasti.

A.K. PATHAK, J.

OCTOBER 27, 2017

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