

\$~22 & 24

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

+ W.P.(CRL) 107/2018, Crl.M.A.No.659/2018 &
Crl.M.A.No.660/2018

RACHNA TYAGI & ORS

..... Petitioners

Through Mr.S.K.Mishra, Advocate

versus

STATE (GOVT OF NCT OF DELHI) & ANR

..... Respondents

Through Mr.Rahul Mehra, Standing Counsel
with Mr.Jamal Akhtar, Mr.Prashant
Singh and Mr.Chaitanya Gosain,
Advocates.

+ W.P.(CRL) 112/2018, Crl.M.A.No.685/2018 and
Crl.M.A.No.686/2018

SMT BHAGWATI DEVI JOSHI & ORS

..... Petitioners

Through Mr.Ishant Garg, Advocate.

versus

STATE (GOVT OF NCT OF DELHI) & ANR

..... Respondents

Through Mr.Rahul Mehra, Standing Counsel
with Mr.Jamal Akhtar, Mr.Prashant
Singh and Mr.Chaitanya Gosain,
Advocates.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **12.01.2018**

Parties are seeking quashing of the FIRs i.e. the FIR

2

No.191/2012 registered under Sections 406/420/468/471/120B of the IPC on the complaint of one Rachna Tyagi at police station Dabri and the second FIR i.e. the FIR No.311/2012 also registered under Sections 416/417/418/419/420/463/464/468/471 read with Section 120B/34 of the IPC on the complaint of Bhagwati Devi Joshi at the same police station.

The dispute is centered around a property. This dispute was largely between two families i.e. Joshi family and Tyagi family. FIRs had been registered in the year 2012. This Court has been informed that charge sheet has since not been filed. It was largely for the reason that the parties were trying to settle the dispute that the investigation could not progress. Parties have entered into a memorandum of settlement dated 09.10.2017; it is marked as Ex.PA; details of the settlement find mention in it. This settles scores on both the FIRs. The parties shall be bound by the terms and conditions as contained in Ex.PA. Parties are present in person. They endorse the terms and conditions of the settlement as contained in Ex.PA.

To secure ends of justice this is a fit case where the prayer made in the petitions should be granted as the trial would be an exercise in futility. However, now the submission of the learned Standing Counsel for the State is that the investigation has progressed in the matter and the FIR remained pending for the last 5 years; the parties should be burdened with costs if at all the prayers made in the petitions are allowed.

Accordingly, while allowing the prayers made in the petitions and quashing the FIR No.191/2012 registered under Sections

3

406/420/468/471/120B of the IPC and the FIR No.311/2012 registered under Sections 416/417/418/419/420/463/464/468/471 read with Section 120B/34 of the IPC both at police station Dabri and all the proceedings emanating therefrom, each of the petitioners in each of the petitions are burdened with costs of Rs.5000/- to be deposited with the Delhi High Court Legal Services Committee.

Petitions disposed of.

INDERMEET KAUR, J

JANUARY 12, 2018

ndn