

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

Date of decision: January 30, 2020

+ **W.P.(CRL) 73/2020**

SHRI SACHIN CHAUDHARY & ANR. Petitioners

Through: Mr. Triloki Pandey, Advocate

Versus

STATE (GOVT. OF NCT OF DELHI) & ORS. Respondents

Through: Ms. Poornima Malik, Advocate for
Mr. Ashish Aggarwal, Additional
Standing Counsel for respondent
No.1/State with ASI Vinod Kumar

Mr. Deepak Sinha, Advocate for
respondents No.2, 3 & 5

CORAM:

HON'BLE MR. JUSTICE BRIJESH SETHI

JUDGMENT

BRIJESH SETHI, J (oral)

Vide this petition, quashing of FIR No. 664/2019, registered at police station Uttam Nagar, Delhi for the offences under Sections 323/341/506/34 IPC is sought on the basis of Memorandum of Understanding of 24th December, 2019 reached between the parties.

Notice.

Ms. Poornima Malik, Advocate appearing for Mr. Ashish Aggarwal, Additional Standing Counsel for respondent/State and Mr. Deepak Sinha, Advocate, for respondents No.2 to 5 accept notice and submits that respondent No.4-Doli is unable to appear before this Court today because she has one month old child and that her affidavit dated 7th January, 2020 supporting this petition has been placed on record.

Ms. Poornima Malik, Advocate appearing for Mr. Ashish Aggarwal, Additional Standing Counsel for respondent/State submits that respondent No.2, present in the Court, is the complainant/first-informant of the FIR in question and he has been identified to be so, by Investigating Officer of this case on the basis of identity proof produced by her. Learned counsel appearing for respondent/State further submits that in the FIR in question, offence under Section 342 IPC was added later on.

Respondent No.2, present in the Court, submits that the dispute between the parties has been amicably resolved in terms of Memorandum of Understanding of 24th December, 2019 and he affirms the contents of his Affidavit of 7th January, 2020 supporting this petition and submits that now no dispute with petitioners survives and so, the proceedings arising out of the FIR in question be brought to an end.

Upon hearing and on perusal of the FIR of this Case, I find that continuance of proceedings arising out of the FIR in question would be an exercise in futility as the misunderstanding, which led to registration of the FIR, now stands cleared between the parties.

Accordingly, this petition is allowed and FIR No. 664/2019, under Sections 323/341/342/506/34 IPC, registered at police station Uttam Nagar, Delhi and the proceedings emanating therefrom are quashed *qua* petitioners.

This petition stands disposed of accordingly.

(BRIJESH SETHI)
JUDGE

JANUARY 30, 2020/r