

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

Date of decision: January 28, 2020

+ W.P.(CRL) 251/2020 & CrI.M.A. 1882/2020

RAJESH KUMAR VASHISHT & ANR. Petitioners

Through: Mr. H.S.Yadav, Advocate

Versus

STATE & ANR. Respondents

Through: Ms. Shivani Sharma & Ms.Charu Chaudhary, Advocates for Ms.Richa Kapoor, Additional Standing Counsel for respondent No.1/State with SI Manmohan Yadav
Ms. Suraksha Chaudhary, Advocate for respondent No.2

CORAM:

HON'BLE MR. JUSTICE BRIJESH SETHI

JUDGMENT

BRIJESH SETHI, J (oral)

Vide this petition, quashing of FIR No. 12/2018, registered at police station Dwarka South, New Delhi for the offences under Sections 420/406/34 IPC is sought on the basis of Memorandum of Understanding of 18th April, 2019 reached between the parties.

Notice.

Ms. Shivani Sharma, Advocate, accepts notice for respondent No.1/State and Ms. Suraksha Chaudhary, Advocate, accepts notice for

W.P.(CRL) 251/2020

respondent No.2.

Ms. Shivani Sharma, Advocate for Ms. Richa Kapoor, learned Additional Standing Counsel for respondent-State accepts notice and 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 him.

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 18th April, 2019 and he affirms the contents of his Affidavit of 11th December, 2019 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. 12/2018, under Sections 420/406/34 IPC, registered at police station Dwarka South, New Delhi and the proceedings emanating therefrom are quashed *qua* petitioners.

This petition and application stand disposed of accordingly.

(BRIJESH SETHI)
JUDGE

JANUARY 28, 2020/r

W.P.(CRL) 251/2020