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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 381/2020

ROOP VERMA & ANR.

..... Petitioners

Through : Mr.Jaspreet Singh Rai, Advocate.

versus

STATE & ORS.

..... Respondents

Through : Mr.Sanjay Lao, ASC for the State.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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17.08.2020

1. The hearing has been conducted through Video Conferencing.
2. The petitioner herein prays for quashing of FIR bearing no.15/2017 dated 13.01.2017 registered under Section 406/420/34 IPC at PS Safadurjung Enclave, South, Delhi, now being investigated by EoW Cell.
3. The facts leading to the culmination of the present FIR were the petitioners and respondent no.3 are related to each other and the dispute arose between them in relation to movable and immovable properties of late Sh.Ram Prakash S/o Late Sh.Hari Ram, R/o A-2/34, Azad Apartments, Navketan Co-operative Group Housing Society Limited, Near IIT Gate, New Delhi. The deceased was never married and died issueless.
4. The deceased was the first cousin of respondent no.3's father. The deceased was having substantial bank balance in his bank accounts maintained with HDFC, Branch at C/32, SDA market, New Delhi and he also had a demat account in the aforesaid bank. The dispute arose for distribution of such assets of the deceased between

the petitioners and respondent no.3.

5. Though the claim between the petitioners and respondent no.3 was settled in March, 2013 but subsequently a dispute arose between them for withdrawal of the money deposited in the HDFC account and hence the petitioner has filed a complaint under Section 156(3) Cr.P.C. before the learned MM (south), Saket Courts, New Delhi.

6. Yet again the dispute has been amicably settled between the petitioners and respondent no.3 vide an MoU dated 23.01.2020 annexed as annexure P-4 and it shall form a part of this order.

7. It is submitted at this stage there is no use of keeping this FIR pending. Admittedly as per the learned ASC no documents were sent to FSL and there is no evidence of forgery as of now.

8. In the circumstances, since the dispute pertains to the distribution of assets of the deceased between his LRs and since the matter is now amicably settled between the parties vide MoU dated 23.01.2020, there is no need to continue with the investigation and as such the FIR is directed to be quashed.

9. The petition stands disposed of in terms. Pending application(s) also stands disposed of.

YOGESH KHANNA, J.

AUGUST 17, 2020

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