

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

Date of decision: March 05, 2020

+ **W.P.(CRL) 640/2020 & CrI.M.A. 4908/2020**

MAYANK SHARMA & ORS.

..... Petitioner

Through: Mr. Yudhishter Sharma,
Mr. Rajesh Kumar Aggarwal &
Ms. Resham Sharma, Advocates
with petitioners in person.

Versus

STATE & ANR.

..... Respondent

Through: Mr. Rajesh Mahajan, Additional
Standing Counsel with Ms.Jyoti
Babbar, Advocate for respondent
No.1/State with ASI Karam Singh
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE BRIJESH SETHI

JUDGMENT

BRIJESH SETHI, J (oral)

Vide this petition, quashing of FIR No. 283/2016, registered at police station North Rohini, Delhi for the offences under Sections 435/120B/34 IPC is sought on the basis of Memorandum of Understanding of 2nd August, 2018 reached between the parties.

Notice.

Mr. Rajesh Mahajan, Additional Standing Counsel, accepts notice for respondent No.1/State and submits that petitioners as well as W.P.(Crl.) 640/2020

respondent No.2, who is the complainant of FIR in question, are present in the Court and they have been identified by Investigating Officer of this case.

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 2nd August, 2018. He affirms the contents of his Affidavit of 5th March, 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. 283/2016, under Sections 435/120B/34 IPC, registered at police station North Rohini, Delhi and the proceedings emanating therefrom are quashed *qua* petitioners.

This petition and application stand disposed of accordingly.

(BRIJESH SETHI)
JUDGE

MARCH 05, 2020

r