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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 1047/2019 & CRL.M.A. 7696/2019 & CRL.M.A.
39637/2019

SH. MANMEET SINGH & ORS. Petitioners
Through Mr. V.K. Ohri and Mr. Pawan
Madan, Advocates

Versus
STATE & ORS. Respondents
Through Mr. Sanjau Lao, Additional
Standing Counsel with Mr. Karan
Jeet Sharma, Advocate for
respondent No.1/State
Mr. R.P.S.Kasana, Advocate with
respondent No.2 in person

CORAM:
HON'BLE MR. JUSTICE BRIJESH SETHI

ORDER
% **21.01.2020**

Vide this petition, petitioners have sought a direction to respondent/State to not to proceed in FIR No. 88/2017, registered at police station Hauz Khas, New Delhi and in FIR No. 107/2017, registered at police station Rani Bagh, Delhi.

Mr. V.K. Ohri, learned counsel for petitioners, seeks permission to withdraw this petition. He, however, submits that as per the mediated settlement reached between petitioners and respondent No.4, a sum of Rs.60,00,000/- by way of two fixed deposit receipts in the sum of Rs.20,00,000/- and Rs.40,00,000/- in the name of petitioner No.2-

Bhupinder Pal Singh were deposited with the Registrar General of this Court and the said amount with interest accrued thereupon (Rs.61,48,859/-) stood transferred in the name of respondent No.2- Ms. Gurpreet Kaur (in terms of order dated 16th May, 2019 in TR.P. (Crl.) 3/2018) , which is lying in fixed deposited with the Registry of this Court. Learned counsel for petitioner prays that the said amount be returned to petitioner No.2- *Bhupinder Pal Singh*.

Mr. R.P.S.Kasana, learned counsel for second respondent submits that pursuance to mediated settlement, respondent No.2 has withdrawn the cases filed under Section 12 of The Protection of Women from Domestic Violence Act, 2005 and under Section 125 Cr.P.C. and that joint petition filed under Section 13 B(1) and (2) has already been allowed by the trial court and decree of divorce has been granted to the parties.

Learned counsel for petitioners submits that since the FIR in question cannot be quashed, the amount of Rs.61,48,859/- , which stood transferred in the name of respondent No.2, be returned to petitioner No.2-*Bhupinder Pal Singh*.

Learned counsel appearing for second respondent on instructions submits that there is no objection if the same is returned to petitioner No.2.

Heard.

In view of the above, Registry is directed that the fixed deposit receipt in the sum of Rs.61,48,859/- prepared in the name of second respondent – *Ms. Gurpreet Kaur* (as mentioned in the order of 7th August, 2019 in *Tr.P. (Crl.) 3/2018*) along with interest accrued thereupon be

returned to petitioner No.2/ *Bhupinder Pal Singh* forthwith.

With aforesaid directions, this petition and pending applications stand dismissed as withdrawn.

BRIJESH SETHI, J

JANUARY 21, 2020

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