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

+ **W.P.(CRL) 1177/2020**

NALINI RASTOGI & ANR.

..... Petitioners

Through: Mr Attin Shankar Rastogi and Mrs.
Nalini Rastogi, Advocates for
Petitioner no.1.
Mr. Surender Rastogi, Advocate for
petitioner no.2.

Versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Ms Shivani Sharma, Advocate for Ms
Richa Kapoor, ASC for State.
Mr Anil Kr Shrivastava along with
Mr Akash Arora, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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04.08.2020

[Hearing held through video conferencing]

CRL.M.A. 10414/2020 and CRL.M.A. 10415/2020

1. Exemptions are allowed, subject to all just exceptions.
2. The applications are disposed of.

W.P.(CRL) 1177/2020 and CRL.M.A. 10413/2020

3. The petitioners have filed the present petition, *inter alia*, praying that the FIR bearing no. 318/2018 under Sections 406/420/120B of the IPC

registered with Police Station Anand Vihar, be quashed.

4. The said FIR was registered at the instance of respondent no.2.

5. The present petition is premised on the basis that the petitioners have settled all their disputes with respondent no.2.

6. Respondent no.2 has joined the proceedings electronically along with his counsel and is identified by him.

7. He had filed the FIR in question alleging that the petitioners had taken a sum of ₹30,00,000/- against an agreement to sell in respect of an immovable property. However, the petitioner subsequently entered into a transaction with the third party and sold the said property.

8. Respondent no. 2 states that he has resolved all the disputes with the petitioners and has received a sum of ₹19,00,000/- as full and final settlement of all his claims. He also states that he had instituted a civil suit in respect of the said agreement to sell and the same was also withdrawn in terms of the settlement agreement dated 29.11.2018, a copy of which has been placed on record. Respondent no.2 states that he has no further grievance against the petitioners and joins the petitioners in praying that the FIR in question be quashed.

9. The petitioners have also joined the proceedings electronically and state that they have no grievances against respondent no.2.

10. In view of the statements made by the concerned parties (petitioners and respondent no.2), this Court considers it apposite to allow the present

petition. The FIR in question (FIR bearing no. 318/2018 under Sections 406/420/120B of the IPC registered with Police Station Anand Vihar) and all other proceedings emanating therefrom, are quashed.

11. The pending applications are also disposed of.

VIBHU BAKHRU, J

AUGUST 04, 2020
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