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

Date of decision: 03.06.2021

+ W.P. (CRL) 1082/2021

MARKO ROSHAN & ANR. Petitioners
Through Mr. Vijay Dalal, Adv.

versus

THE STATE & ANR. Respondent
Through Mr. Piyush Singhal, Adv. for Mr.
Ashish Aggarwal, ASC for State with
ASI Ombir Singh
Mr. Vijay Dalal, Adv. for R-2 with R-
2 in person

CORAM:
HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (O R A L)

The hearing has been conducted through video conferencing.

CRL. M.A.8776/2021 (exemption)

1. Application is allowed with direction to file attested affidavit within four weeks of courts resuming normal functioning.

2. Application is disposed of.

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3. Vide the present petition, petitioners seek direction thereby for quashing of FIR No.0814/2016, registered at PS – Dabri, Delhi and all other

proceedings arising therefrom.

4. Notice issued.

5. Notice is accepted by learned APP for State and by counsel for respondent no.2 and with the consent of counsel for parties, the present petition is taken up for final disposal.

6. The present petition is filed on the ground that parties have settled their disputes and respondent no.2 has no objection if the present petition is allowed.

7. Respondent no.2 is personally present in Court through video conferencing with her counsel and she has been identified by ASI Ombir Singh/IO and submits that matter has been settled and she does not wish to prosecute the matter any further.

8. Petitioners and respondent no.2 have entered into an amicable settlement vide Deed of Settlement/Memorandum of Understanding dated 02.02.2021.

9. Learned counsel for respondent no.1/State has opposed the present petition and submits that due to the registration of FIR, government machinery came in motion and a lot of precious public time has been consumed, therefore, if this Court is inclined to quash FIR, heavy cost may

be imposed upon petitioners.

10. Learned counsel for petitioners, on instructions, who are present in Court through video conferencing, has come forward and agreed to pay an additional amount of ₹2,00,000/-. Accordingly, petitioner no.1 is directed to pay the said amount by way of DD in favour of respondent no.2 within two weeks and receipt of the same shall be furnished to IO concerned.

11. Taking into account the aforesaid facts, this Court is inclined to quash FIR as no useful purpose would be served in prosecuting petitioners any further.

12. For the reasons afore-recorded, FIR No.0814/2016, registered at PS – Dabri, Delhi and consequent proceedings emanating therefrom are quashed.

13. The petition is, accordingly, allowed and disposed of.

(SURESH KUMAR KAIT)
JUDGE

JUNE 03, 2021

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