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

+ **CRL.M.C. 1154/2024**

RAJEEV JAIN & ORS.

..... Petitioners

Through: Mr. Kamal Jindal, Advocate along
with all the petitioners in person.

versus

STATE (GOVT. OF NCT DELHI) & ANR. Respondents

Through: Mr. Digam Singh Dagar, APP for the
State with SI Rahul Bisht, PS:
Jagatpuri.
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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13.02.2024

CRL.M.A. 4568/2024 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.298/2022 registered under Sections 498A/406/34 IPC at PS: Jagatpuri.
4. During the course of hearing, it has transpired that although under the Memorandum of Settlement dated 27.07.2023, a Gift Deed was to be executed in favour of Respondent No.2/Complainant with respect to first, second and third floors of property bearing No.H-1/3, Krishna Nagar, Delhi-

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110051 upto the ceiling area, however, either the same has not been executed or has not been placed on record. There is also no averment in the petition that any such Gift Deed has been executed. Additionally, the Complainant, who is present in Court and is identified by the Investigating Officer SI Rahul Bisht, PS: Jagatpuri, states that in terms of the settlement between the parties, Petitioners were required to fulfil certain reciprocal obligations, which have not been fulfilled so far and therefore, she has reservations to the quashing of the FIR at this stage.

5. Learned counsel for the Petitioners, on instructions, in view of this development, seeks to withdraw the petition with liberty to file a fresh petition once all the disputes are settled and all necessary documents are executed in furtherance of the Memorandum of Settlement including fulfilling the reciprocal obligations of the Petitioners under the said settlement.

6. The petition is disposed of as withdrawn with liberty as prayed for, in accordance with law.

JYOTI SINGH, J

FEBRUARY 13, 2024

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