

(2020) 01 DEL CK 0548

In the Delhi High Court

Case No : Criminal Writ Petition No. 251 Of 2020, Criminal Miscellaneous
Application No. 1882 Of 2020

Rajesh Kumar Vashisht & Anr

APPELLANT

Vs

State & Anr

RESPONDENT

Date of Decision : 28-01-2020

Acts Referred:

Indian Penal Code, 1860 — Section 34, 406, 420

Citation : (2020) 01 DEL CK 0548

Hon'ble Judges : Brijesh Sethi, J

Bench : Single Bench

Advocate : H.S.Yadav, Shivani Sharma, Charu Chaudhary, Richa Kapoor,
Suraksha Chaudhary

Final Decision : Disposed Of

Judgement

Brijesh Sethi, J

Vide this petition, quashing of FIR No. 12/2018, registered at police station Dwarka South, New Delhi for the offences under Sections 420/406/34 IPC is sought on the basis of Memorandum of Understanding of 18th April, 2019 reached between the parties.

Notice.

Ms. Shivani Sharma, Advocate, accepts notice for respondent No.1/State and Ms. Suraksha Chaudhary, Advocate, accepts notice for respondent No.2.

Ms. Shivani Sharma, Advocate for Ms. Richa Kapoor, learned Additional Standing Counsel for respondent-State accepts notice and submits that respondent No.2, present in the Court, is the complainant/first-informant of the FIR in question and he has been identified to be so, by Investigating Officer of this case on the basis of identity proof produced by him.

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 18th April, 2019 and he affirms the contents of his Affidavit of 11th December, 2019 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. 12/2018, under Sections 420/406/34 IPC, registered at police station Dwarka South, New Delhi and the proceedings emanating therefrom are quashed qua petitioners.

This petition and application stand disposed of accordingly.