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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL MC 8407/2023 & CRL MA 31388/2023 (EXEM)
PARMEET SINGH NARULA & ORS. Petitioners

Through: Mr. Vishal Khanna, Advocate.

versus

STATE & ORS. Respondents

Through: Mr. Yudhvir Singh Chauhan, APP for
State.
SI Joginder Kumar, P.S. Geeta
Colony.
Respondent nos. 2 to 4 in person.

CORAM
HONBLE DR JUSTICE SUDHIR KUMAR JAIN

ORDER
17.11.2023

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1. The present petition is filed under section 482 Cr. P. C for quashing of FIR bearing no. 0605/2020 registered under sections 323/341/289/337/34 IPC at P.S. Geeta Colony along with consequential proceedings.
2. Issue notice.
3. Mr. Yudhvir Singh Chauhan, Additional Public Prosecutor assisted by the Investigating Officer SI Joginder Kumar, P.S. Geeta Colony accepts notice on behalf of the respondent no. 1/State. The respondent nos. 2 to 4 are present in person and accept the notice.
4. The perusal of FIR bearing no. 0605/2020 reflects that it was got registered on the basis of complaint made by respondent no. 2 pertaining to the incident stated to be happened on 08.12.2020 and on the allegations as



detailed in FIR. The respondent nos. 2 and 3 are stated to have received injury. After conclusion of investigation, the charge-sheet has already been filed wherein the petitioners were implicated, the trial of which is stated to be pending in the Court of M. Bhanu Pratap Singh, MM East District, Karkardooma Court, Delhi. A cross FIR bearing no. 0607/2020 was also got registered under sections 323/341/506/34 IPC at P.S. Geeta Colony by the petitioner no. 1 against the respondents.

5. The counsel for the petitioners stated that the petitioners and respondent nos. 2 to 4 have settled their dispute vide Memorandum of Understanding dated 30.03.2023 whereby the respondent nos. 2 to 4 have agreed not to pursue the judicial proceedings arising out of FIR bearing no. 0605/2020. The counsel for the petitioners also stated that the respondent nos. 2 to 4 are residing in the same locality and the alleged incident had happened on the trivial issue of parking. The petitioners and the respondent nos. 2 to 4 are now enjoying harmonious relationship and want to maintain their future relationship.

6. The respondent nos. 2 to 4 also stated that the pending dispute has already been settled amicably with the petitioners vide Memorandum of Understanding dated 30.03.2023 and they are now they are enjoying harmonious relationship with the petitioners as such, they do not have any objection if the present petition is allowed and FIR bearing no. 0605/2020 along with consequential judicial proceedings be quashed.

7. The Additional Public Prosecutor for the respondent no. 1 stated that under the given facts and circumstances of the case, he does not have any objection if the present petition is allowed and the present FIR bearing no. 0605/2020 along with consequential judicial proceedings is quashed.



however, suitable cost be imposed on the petitioners.

8. The petitioners and the respondent nos. 2 to 4 are residing in the same locality. A cross FIR bearing no. 0607/2020 under sections 323/341/506/34 IPC was also got registered at P.S. Geeta Colony. The petitioners and the respondent nos. 2 to 4 have amicably resolved their dispute vide Memorandum of Understanding dated 30.03.2023. After considering the facts, the present petition is allowed and FIR bearing no. 0605/2020 registered under sections 323/341/289/337/34 IPC at P.S. Geeta Colony along with consequential proceedings stated to be pending in the Court of Ms. Bhanu Pratap Singh, MM East District, Karkardooma Court, Delhi/Successor Court is quashed. However, the petitioners are directed to pay cost of Rs. 15,000/- to be deposited in Armed Forces Battle Casualties Welfare Fund, Canara Bank, Account No. 90552010165915 within 15 days from today and receipt thereof be produced within 07 days thereafter.

9. The present petition along with pending application stands disposed of.

DR SUDHIR KUMAR JAIN J

NOVEMBER 17, 2023/ MR/ AK



This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 22/03/2024 at 13:46:42



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

+ **CRL MC 7347/2023 & CRL MA 27403/2023**

SACHIN NAGPAL & ORS.

..... Petitioners

Through: **Mr. Abhishek Gupta and Mr. Vishal Khanna, Advocates.**

versus

STATE & ORS.

..... Respondents

Through: **Mr. Yudhvir Singh Chauhan, APP for State.**
Mr. Vishal Khanna, Advocate for R-2.
Respondent nos. 2 to 4 in person

CORAM

HONBLE DR JUSTICE SUDHIR KUMAR JAIN

ORDER

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17.11.2023

1. The present petition is filed under section 482 Cr. P. C for quashing of FIR bearing no. 0607/2020 registered under sections 323/341/506/34 IPC at P. S. Geeta Colony along with consequential proceedings.
2. Issue notice.
3. Mr. Yudhvir Singh Chauhan, Additional Public Prosecutor accepts notice on behalf of the respondent no. 1/State. The respondent nos. 2 to 4 are present in person and accept the notice.
4. The perusal of FIR bearing no. 0607/2020 reflects that it was got registered on the basis of complaint made by respondent no. 2 pertaining to the incident stated to be happened on 08.12.2020 and on the allegations as



detailed in the FIR. The respondent no. 2 is stated to have received injury. After conclusion of investigation, the charge-sheet has already been filed wherein the petitioners were implicated, the trial of which is stated to be pending in the Court of M. Bhanu Pratap Singh, MM East District, Karkardooma Court, Delhi. A cross FIR bearing no. 0605/2020 was also got registered under sections 323/341/289/337/34 IPC at P.S. Geeta Colony by the petitioner no. 1 against the respondents.

5. The counsel for the petitioners stated that the petitioners and respondent nos. 2 to 4 have settled their dispute vide Memorandum of Understanding dated 30.03.2023 whereby the respondent nos. 2 to 4 have agreed not to pursue the judicial proceedings arising out of FIR bearing no. 0607/2020. The counsel for the petitioners also stated that the respondent nos. 2 to 4 are residing in the same locality and the alleged incident had happened on the trivial issue of parking. The petitioners and the respondent nos. 2 to 4 are now enjoying harmonious relationship and want to maintain their future relationship.

6. The respondent nos. 2 to 4 also stated that the pending dispute has already been settled amicably with the petitioners vide Memorandum of Understanding dated 30.03.2023 and they are now they are enjoying harmonious relationship with the petitioners as such, they do not have any objection if the present petition is allowed and FIR bearing no. 0607/2020 along with consequential judicial proceedings be quashed.

7. The Additional Public Prosecutor for the respondent no. 1 stated that under the given facts and circumstances of the case, he does not have any objection if the present petition is allowed and the present FIR bearing no. 0607/2020 along with consequential judicial proceedings is quashed.



however, suitable cost be imposed on the petitioners.

8. The petitioners and the respondent nos. 2 to 4 are residing in the same locality. A cross FIR bearing no. 0605/2020 under sections 323/341/289/337/34 IPC was also got registered at P.S. Geeta Colony. The petitioners and the respondent nos. 2 to 4 have amicably resolved their dispute vide Memorandum of Understanding dated 30.03.2023. After considering the facts, the present petition is allowed and FIR bearing no. 0607/2020 registered under sections 323/341/506/34 IPC at P.S. Geeta Colony along with consequential proceedings stated to be pending in the Court of M. Bhanu Pratap Singh, MM East District, Karkardooma Court, Delhi/Successor Court is quashed. However, the petitioners are directed to pay cost of Rs. 15,000/- to be deposited in Armed Forces Battle Casualties Welfare Fund, Canara Bank, Account No. 90552010165915 within 15 days from today and receipt thereof be produced within 07 days thereafter.

9. The present petition along with pending application stands disposed of.

DR SUDHIR KUMAR JAIN J

NOVEMBER 17, 2023/ MR/ AK



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

+ **ARB.P. 581/2022**

SHIVANI PAWAR

..... Petitioner

Through: Mr. Abhishek Gupta, Mr. Vishal
Khanna and Ms. Vanshika,
Advocates.

versus

BIOTRENDS INDIA PRIVATE LIMITED & ORS..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

12.05.2022

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I.A. 7485/2022 (exemption)

Exemption is allowed subject to all just exceptions.

I.A. 7486/2022

The Supreme Court by its orders 23.03.2020, 27.04.2021 and 10.01.2022 in *Suo Motu Writ Petition (Civil) No.3 of 2020* has suspended the period of limitation in view of the ongoing pandemic. Accordingly, there is no delay in filing the petition.

The application is disposed of.

ARB.P. 581/2022

Issue notice to the respondents, returnable on 24.08.2022.

SANJEEV SACHDEVA, J

MAY 12, 2022/rk



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

+ CRL.M.C. 6462/2022 &CRL.M.A. 25179/2022

SATISH KUMAR SHARMA

..... Petitioner

Through: Mr. Vishal Khanna, Advocate with
petitioner in-person.

versus

THE GOVT. OF NCT OF DELHI & ANR.

..... Respondents

Through: Ms. Meenakshi Dhaiya, APP for the
State with SI Heera Lal, PS Mauric
Nagar.
Mr. Abhishek Gupta, Advocate for
R2 with R2, in-person.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

02.12.2022

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By way of the present petition under section 482 of the Criminal Procedure Code 1973 ('CrPC.') the petitioner seeks quashing of case FIR No. 051/2018 dated 20.04.2018 registered under section 354 of the Indian Penal Code 1860 ('IPC') at P.S.: Maurice Nagar on the premise that the petitioner and the complainant, who is his daughter, have resolved the issues as recorded in Memorandum of Understanding ('MoU') dated 14.11.2022, a copy of which has been annexed to the petition.

2. The petition is also supported by an affidavit of the complainant/ respondent No.2.

CRL.M.C. 6462/2022

Page 1 of 3



3. The essence of the settlement comprised in the MoU is that the FIR came to be filed by reason of a quarrel, in the course of which respondent No.2 misconstrued the act of the petitioner and registered the FIR in anger. The petitioner is present in court in-person as is respondent No.2 alongwith her mother. The court has interacted with respondent No.2 and has ascertained her wishes with regard to the FIR. Respondent No.2 says that the quarrel arose from temperamental differences between the father and daughter; and being part of a family, they now wish to reside together peacefully.
4. Chargesheet dated 21.04.2018 has been filed pursuant to investigations conducted in the FIR.
5. Ms. Meenakshi Dhaiya, learned APP appearing for the State has no objection to the FIR being quashed.
6. The credentials of the parties present in court have been verified and they have also been identified by their respective counsel.
7. The petition is supported by affidavits of the petitioner and of respondents No.2, alongwith proofs of their I.D.
8. In the circumstances, in line with the law laid down by the Supreme Court in *Gian Singh vs. State of Punjab & Anr.* reported as (2012) 10 SCC 303 as also in *Narinder Singh & Ors. vs. State of Punjab & Anr.* reported as (2014) 6 SCC 466, this court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. This court is of the view that in view of the settlement, the subject FIR and all subsequent proceedings would be an exercise in futility and would not be conducive to peace and harmony between the parties.



9. Accordingly, FIR No. 051/2018 is quashed. All proceedings arising therefrom also stand closed.
10. Petition stands disposed of.
11. Pending applications, if any, also stand disposed of.

ANUP JAIRAM BHAMBHANI, J

DECEMBER 2, 2022
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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 5499/2022

INDRAJIT

..... Petitioner

Through: Mr. Abhishek Gupta and Mr. Vishal
Khanna, Advocates (Through V.C.)

Versus

DELHI TRANSPORT AUTHORITY & ORS.

..... Respondents

Through: Mr. Avishkar Singhvi, ASC with
Mr. Naved Ahmed, Advocate with
Mr. Navlendar Kumar, Joint Commissioner,
Transport Dept., Delhi

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

24.05.2022

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1. By way of the present petition filed under Article 226 of the Constitution of India, the petitioner seeks directions to the respondents to release the TSR Auto Vehicle bearing No. DL-1R-U-8341 (hereinafter referred to as the 'TSR').

2. Learned counsel for the petitioner submits that the aforesaid vehicle was challaned by the respondents on 29.02.2020. He submits that at the relevant time, the petitioner had given the aforesaid TSR to one *Umesh Sharma* and during such time when *Umesh Sharma* was plying the vehicle, the challan came to be issued. He submits that subsequently, the aforesaid challan was settled before the *Lok Adalat* and was duly paid on 23.01.2022. He also submits that subsequent to the above, requisite permit pertaining to



the TSR has also been renewed.

It is further submitted the TSR is lying in custody of the respondents and has not plied for the last more than two years. He prays that the TSR be released as the petitioner never had the knowledge that it was impounded while it was being plied by *Umesh Sharma*.

3. Mr. Avishkar Singhvi, learned ASC has emphasised on Rule 16 of the Delhi Maintenance and Management of Parking Places Rules, 2019, which have been framed in exercise of the powers conferred by clause (e) (h) and (i) of Sub-section 2 of Section 138 of the Motor Vehicle Act, 1988 read with Section 117, Sub-section 3 of Section 127 and Clause 41 of Section 2. He submits that as per Rule 16 of the said Rules, initially parking/custody charges for first 48 hours is charged @Rs.200/- per day, whereafter beyond the period of seven days, parking/custody charges are levied @Rs.400/-. It is submitted that vide order dated 09.08.2021, Govt. of NCT (Transport Department) on an advisory of Ministry of Road Transport and Highways, Govt. of India had waived the parking/custody charges for the period from 24.03.2020 to 30.09.2021. He, on instructions, submits that after giving the aforesaid rebate, the petitioner is now required to pay Rs.1,02,200/-.

4. At this stage, learned counsel for the petitioner, on instructions, submits that the petitioner is ready and willing to pay the aforesaid amount of Rs.1,02,200/- provided that the same is directed to be paid in four equal monthly installments. He also submits that in this regard, the petitioner shall also file a written undertaking in the form of an affidavit before the concerned authority.

5. Learned counsel for the petitioner, on instructions, submits that at the time of filing the said affidavit, the petitioner would deposit a sum of



Rs.25,000/- upfront whereafter, the remaining amount would be paid in three equal installments on or before 30.06.2022, 30.07.2022 and 30.08.2022. The statement made on behalf of the petitioner is taken on record and he is bound by the same.

6. Considering that the TSR was impounded on 29.02.2020 and is stated to be the only source of petitioner's livelihood, it is directed that the same be released forthwith to the petitioner, subject to the petitioner depositing a sum of Rs.25,000/- and filing an undertaking in the form of an affidavit before the concerned authority. A copy whereof shall also be placed on records of the present case.

7. With the above directions, the present petition is disposed of.

8. It is clarified that the aforesaid order has been passed in the peculiar facts and circumstances of the present case.

MANOJ KUMAR OHRI, J

MAY 24, 2022

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[Click here to check corrigendum, if any](#)



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

+ W.P.(C) 219/2022

AJIT KUMAR

..... Petitioner

Through: Ms. Vanshika, Mr. Abhishek Gupta &
Mr. Vishal Khanna, Advocates.

versus

THE GOVT. OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr. Satyakam, Additional Standing
Counsel for the respondent/ GNCTD.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

18.07.2022

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1. The petitioner before this Court has filed the present petition as a Public Interest Litigation (PIL) being aggrieved by inaction of the Government of National Capital Territory of Delhi (GNCTD) in not taking action against unregistered e-Auto Rickshaws plying in the Union Territory.
2. Various orders have passed from time to time in the writ petition and the action taken in the matter has been brought to the notice of this Court.
3. This Court by order dated 11.05.2022 has directed the respondent/ State to file a status report in respect of the action taken against the Auto, TSR and e-Rickshaws which are not registered and those that which do not have Fitness Certificate(s). A detailed report has been filed as directed by this Court, and paragraphs 4, 5, 6, 7 & 8 of the same are reproduced as



under:

“4. The present Status Report being filed in faithful compliance of the abovesaid order seeks to place before this Hon’ble Court the remedial measures taken in terms of the abovesaid directions.

5. The Enforcement wing of Transport Department vide letter dispatch No. 2287-89/60727 dated 04.07.2022 provided the details of challans issued in respect of TSR & E-rickshaws and reproduced as under:

Month	TSR Auto		E-rickshaws	
	Without Driving License	Without fitness of Certificate	Without Driving License	Without fitness of Certificate
01.01.2022 to 30.06.2022	1351	250	3713	1763

6. The e-Rickshaw/ E-cart owners being informed repeatedly through SMSs in Hindi about requirement of fitness certificate as per the text message (Hindi). Such SMS are being sent every week since 01.04.2022.

7. On the request of various re-rickshaws unions to extend the date of waiving off the additional fee on account of delay in renewal of certificate of fitness in respect of E-Rickshaw and E-Cart the Transport Department extended the same upto 31.07.2022 vide order dated 04.07.2022. A copy of the order dated 04.07.2022 is annexed herewith and marked as Annexure A.

8. The Information regarding waiving of additional fee on account of delayed fitness is also being sent to the E-Rickshaw and E-Cart owners through text of SMSs attached herewith. A copy of sample sms is annexed herewith as Annexure B.”

4. The status report filed in the matter makes it very clear that the Enforcement Wing of the Transport Department is carrying out surprise checks and e-Rickshaw and e-Carts are being informed repeatedly by SMSs



in Hindi about the requirement of Fitness Certificate. The date of obtaining Fitness Certificate has been extended, i.e. up to 31.07.2022.

5. The Government has also waived the additional fees being levied on account of the delay in obtaining a Fitness Certificate, meaning thereby the respondents have already taken steps to ensure that no e-Rickshaw/ e-Cart in the Union Territory is being operated without the Fitness Certificate.

6. Learned counsel for the respondent has also stated that registration of e-Rickshaws/ procurement of Fitness Certificate and checking of violation of the aforesaid conditions is a regular ongoing process and they are regularly conducting checks at various places in the Union Territory to ensure that each & every e-Rickshaw and e-Cart is plying only after obtaining the Fitness Certificate.

7. In the light of the aforesaid, no further orders are called for in the present PIL. However, the authorities will continue with the drive which they have initiated to ensure that the statutory provisions are complied with as stated by them.

8. With the aforesaid, the PIL stands disposed of.

SATISH CHANDRA SHARMA, CJ

SUBRAMONIUM PRASAD, J

JULY 18, 2022

B.S. Rohella



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

+ **CONT.CAS(C) 529/2021 & CM APPL. 25242/2021**

DELHI AUTO RICKSHAW SANGH

..... Petitioner

Through: Mr. Abhishek Gupta and Mr. Vishal
Khanna, Advs.

versus

DELHI TRANSPORT AUTHORITY & ORS.

..... Respondents

Through: Ms. Shobhana Takiar, ASC for
GNCTD.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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10.08.2021

The hearing was conducted through video conferencing.

1. The learned counsel for the petitioner states that out of 2,50,000 auto-rickshaw drivers holding PSV badges, only 1,59,000 have been paid the one-time Rs.5,000/- financial assistance announced by the Government of NCT of Delhi.
2. This was a socially benevolent measure of the GNCTD to provide immediate relief to the said auto-rickshaw drivers in their financially difficult time. The latter's earnings had dried-up due to the complete ban on all forms of motor-vehicular movement during the pandemic-related lockdown imposed by the government.
3. The learned ASC for the respondents submits that Government



itself has extended the time of payments; the process of payments is on-going. However, a meticulous exercise has to be carried out so that monies are not released erroneously to the persons who are not entitled. She further submits that the registered PSV badge holder is supposed to apply with the Transport Department, which then processes the application and releases the money to the genuine applicant.

4. It was noticed that present petitioner is not the one who has filed the writ petition viz. Nayee Soch Society, *ex facie* the present petitioner has no locus to file this petition unless the entity/individual aggrieved comes forth.
5. The case was passed over for the learned counsel for the petitioner to obtain instructions.
6. It is 16:46 hours.
7. No time left.
8. Renotify on 07.09.2021.
9. The order be uploaded on the website forthwith.

NAJMI WAZIRI, J

AUGUST 10, 2021

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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.CAS(C) 215/2021.

DELHI AUTO RICKSHAW SANGH

.....Petitioner

Through: Mr Vishal Khanna, Advocate.

versus

DELHI TRANSPORT AUTHORITY & ORS.

..... Respondents

Through: Mr. Jawahar Raja, ASC(C), GNCTD.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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20.04.2021

The hearing was conducted through video conferencing.

1. At the outset, the learned ASC appearing for GNCTD states upon instructions that there is no breach of the order dated 07.12.2020 passed in W.P.(C) No.8181/2020, and that no auto-rickshaw driver has been asked to be personally present before the Transport Department.
2. That being the position, it means that the auto-rickshaw drivers will not appear before the Transport Department unless a reasoned speaking order is passed for each person.
3. The learned counsel for the petitioner however submits that almost every auto rickshaw driver is being called to the Transport Department, which is promptly denied by the learned ASC for GNCTD. Let the petitioner bring on record the instances of breach of this Court's order on or before the next date.
4. Let reply be filed within four weeks. Rejoinder thereto, if any, be filed before the next date.



5. List on 17.08.2021.

6. The order be uploaded on the website forthwith.

APRIL 20, 2021/rd

NAJMI WAZIRI, J



(VIA VIDEO CONFERENCING)

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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CRL.M.C. 1697/2021

JYOTI KHANNA & ANR. Petitioners

Through: Mr. Vishal Khanna and Mr. Abhishek
Gupta, Advs.
Petitioners in person.

versus

STATE NCT OF DELHI & ANR. Respondents

Through: Mr. Raghuvinder Varma, APP for the
State with SI Shashikant.
Mr. Nitish Pathania, Adv. for R-2
with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

% 02.08.2021

CRL.M.A. 11854/2021

Exemption allowed, subject to just exceptions.

The application stands disposed of.

CRL.M.C. 1697/2021

1. This is a petition under Section 482 Cr.P.C. for quashing of FIR No.647/2020, under Section 420/406/34 IPC, registered at Police Station-Geeta Colony, Delhi, and all proceedings emanating therefrom.
2. Issue notice. Learned APP appears on advance notice, and accepts notice.
3. On the complaint of respondent no.2, the aforesaid FIR was got registered against the petitioners.



(VIA VIDEO CONFERENCING)

4. Counsel for the petitioners submits that during the pendency of the trial, the parties have settled the matter amicably in terms of the MOU/Settlement dated 24.7.2021. Copy of the said settlement is placed on record.

5. Petitioners and respondent no.2 are present today in Court through VC and they have been identified by the IO. I have interacted with the parties and they submit that they have settled their disputes. Respondent No.2 admits that he has settled the matter amicably with the petitioners. He further submits that the settlement/compromise has taken place voluntarily, without any force, pressure or coercion. Respondent No.2 submits that nothing remains to be adjudicated further between them and she has no objection if the FIR in question is quashed.

6. Learned APP for the State submits that in view of the settlement, the State has no objection if the FIR in question be quashed.

7. Keeping in view the above facts and circumstances, since the matter has been amicably settled between the parties, no useful purpose will be served by keeping the case pending. It will be nothing but abuse of the process of law. Consequentially, this petition is allowed, subject to costs of ₹10,000/- to be deposited by the petitioners with the Delhi High Court Legal Services Committee within a week from today. Upon placing on record the proof of deposit of costs within two weeks thereafter and handing over its copy to the Investigating Officer, FIR No.647/2020, under Section 420/406/34 IPC, registered at Police Station-Geeta Colony, Delhi, and the proceedings emanating therefrom shall stand quashed.



(VIA VIDEO CONFERENCING)

8. The present petition stands disposed of accordingly.

AUGUST 2, 2021

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RAJNISH BHATNAGAR, J



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

+ W.P.(C) 5335/2016

BASANTI DEVI

..... Petitioner

Through Mr.Vishal Khanna and Mr. Ravi
Joshi, Advocates.

versus

EAST DELHI MUNICIPAL CORPORATION & ANR

..... Respondents

Through Mr.Sidhartha Joshi, Advocate for R-1.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **19.07.2016**

Petitioner is aggrieved by the fact that in spite of the unauthorised construction carried out by the private respondents on the property No.4, Guru Angad Nagar Extension, Laxmi Nagar, Delhi no action has been taken by the respondent no.1

Status report has been filed respondent no.1. It is stated that the suit property has been booked on 31.5.2016; on the same day a notice to show cause has been sent to the owner of the suit property. No reply has been received. Demolition notice dated 20.6.2016 was also sent to the owner of the property. Answer to the demolition notice has not been given by the owner of the property. Sealing proceedings have been initiated. The demolition program is fixed for 25.7.2016. The same shall be executed on the aforementioned date.



The respondent no.1 shall ensure that the compliance of the
aforenoted decision as noted in the aforementioned status report.

No further orders are called for in this petition.

Copy of the action taken shall be furnished to the respondent to
the petitioner.

Petition disposed of.

INDERMEET KAUR, J

JULY 19, 2016

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 6433/2016 & C.M. No.26352/2016
ASHIM ALI

..... Petitioner

Through Mr.Vishal Khanna, Adv.

versus

EAST DELHI MUNICIPAL CORPORATION & ANR

..... Respondents

Through Mr.Prakash Thakur with
Mr. Sreemandir (EE) for R-1.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **25.07.2016**

Petitioner is aggrieved by the fact that the respondent no.1/EDMC has permitted illegal construction to be carried out at House No.A-14, West Jyoti Nagar, Main 100 Foota Road, Durgapuri Chowk, Shahdara, Delhi. Submission is that the terms and conditions of the bye-laws have been flouted but no action has been taken.

On advance notice respondent no.1 has put in appearance. His submission is that show cause notice has been issued to the private respondents i.e. respondent no.2 on 11.5.2016 and a Work Stop Notice has also been issued on 06.6.2016 issued to him and partial demolition of the aforetoed construction was carried out on 04.7.2016. Further submission is that the entire programme of demolition shall be completed on or before the date fixed for demolition in the month of August, 2016. This undertaking of the



respondent is taken on record.

Needless to state that this undertaking shall be honoured in true letter and spirit.

No further orders are called for this petition.

Petition disposed of.

INDERMEET KAUR, J

JULY 25, 2016
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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 676/2015**

HANS RAJ & ORS Petitioners
Represented by:Mr. Vishal Khanna, Adv.

Versus

STATE (NCT OF DELHI) & ANR Respondents
Represented by:Mr. M.N. Dudeja, APP for the
State.
SI Amit Kumar, PS Anand Vihar, Delhi.
Mr.N.K. Vatsal, Advocate for R-2 with R-2 in
person.

CORAM:
HON'BLE MR. JUSTICE SURESH KAIT

ORDER
% **14.07.2015**

1. By way of this petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioners seek quashing of FIR No. 67/2014 registered at PS-Anand Vihar for the offences punishable under Sections 392/394/34 IPC on 29.01.2014 and the consequential proceedings emanating therefrom against the petitioners on the ground that the matter has been amicably settled between the parties.
2. Learned Counsel appearing on behalf of the petitioners submits that the aforesaid case was registered on the complaint of respondent No.2. It is alleged that on 28.01.2014 the petitioners robbed Auto Riksha (TSR) No. DL1 RG-5567. Whereas the said TSR is in the name of one Alkesh Chander Yadav. The petitioner no.1 was dealing with financing of the Auto Rikshas and the said Auto Riksha was financed by the petitioner no.1 to the



complainant Shri Hem Raj. When he did not pay the installments of the Auto Riksha, the said Auto Riksha was taken back by the petitioner no.1 with the help of the other petitioners. However, no offence has been committed by the petitioners.

3. Respondent no.2 is present in the Court with his counsel Mr.N.K. Vatsal. He has been identified by IO of the case SI Amit Kumar. Learned counsel for respondent no.2 submits that a complaint was filed by respondent no.2 due to some misunderstanding which has culminated into the aforementioned FIR. Now both the parties have resolved the issues and no other dispute remains between the parties, therefore, respondent no.2 has no objection if the aforementioned FIR is quashed.

4. Learned APP for the State submits that the aforesaid FIR was lodged due to some issues for not paying the loan installments of the Auto Riksha to the financier. The said Auto Riksha was taken back by the financier, i.e., the petitioner no.1. On the complaint of the respondent no.2 the aforesaid FIR was registered. Police has filed the chargesheet and the case is pending for trial.

5. Since the subject matter of this FIR is essentially relates to not paying the installments of finance for Auto Riksha, which now stands mutually and amicably settled between the parties and the complainant is no longer interested in supporting the prosecution because of which, its chances of success in the matter are now greatly diminished, therefore, I am of the considered opinion that this matter deserves to be given a quietus as continuance of proceedings arising out of the FIR in question would be an exercise in futility.

6. Ld. APP submits that while quashing the FIR, some costs should be



imposed on the petitioners as the state machinery has been used for investigating the case and filing the chargesheet and precious public time of this Court has been used.

7. Consequently, FIR No. 67/2014 registered at PS-Anand Vihar for the offences punishable under Sections 392/394/34 IPC and all proceedings emanating therefrom, are hereby quashed.

8. I find force in the submissions of the learned APP for the State. Therefore, I direct petitioner no.2 Rajesh to deposit an amount of Rs.25,000/- in the Delhi Police Martyrs Fund within two weeks. Proof of the same shall be placed on record under intimation to the IO concerned.

9. In view of the above, the present petition is allowed.

10. A copy of this order be given *dasti* to the learned counsel for the parties.

SURESH KAIT, J

JULY 14, 2015
RS