

①

\$~26 & 27

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

+ W.P.(CRL) 2190/2015

VINITA LAMBA & ORS

..... Petitioners

Through

Ms.Priya Darshini Arora, Advocate
along with petitioners in person.

versus

STATE & ANR

..... Respondents

Through

Mr.Ashish Aggarwal, Addl. Standing
Counsel for the State along with SI
Veena.

Ms.Ritu Sobti, Advocate along with
respondent no.2 in person.

+ W.P.(CRL) 2194/2015

SANDEEP LAMBA

..... Petitioner

Through

Ms.Ritu Sobti, Advocate along with
petitioner in person.

versus

STATE & ANR

..... Respondents

Through

Mr.Ashish Aggarwal, Addl. Standing
Counsel for the State along with SI
Veena.

Ms.Priya Darshini Arora, Advocate
along with respondent in person.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

%

30.09.2015

CrI.M.A.N.14445/2015 in W.P.(CRL) 2190/2015

CrI.M.A.N.14459/2015 in W.P.(CRL) 2194/2015

Exemption is allowed subject to just exceptions. Applications
disposed of.

W.P.(CRL) 2190/2015

W.P.(CRL) 2194/2015

2

These are two joint petitions seeking quashing of two cross FIRs i.e. FIR nos.427/2015 and FIR No.428/2015. FIR No.427/2015 has been under Sections 354/509/323 of the IPC on the complaint of Vinita Lamba. She is present in the Court today. Her presence has been identified by the Investigating Officer. FIR No.428/2015 has been registered under Sections 353/451/34 of the IPC on the complaint of Promila Lamba. She is also present in the Court today and her presence has also been identified by the Investigating Officer. Both the FIRs have been registered at police station Rajender Nagar.

This Court notes that the parties are closely related. Vinita Lamba is living on the ground floor. Her husband is the cousin of Sandeep Lamba (son of Promila Lamba i.e. the complainant in FIR No.428/2015). The family of Vinita Lamba is in occupation of the ground floor of the property i.e. property bearing no.R-610, New Rajinder Nagar and the family of Promila Lamba is in the occupation of first floor and the second floor. The parties have arrived at a settlement before the Mediation Centre, Tis Hazari Courts on 07.8.2015, the settlement signed by all the respective parties is on record. In terms of this settlement, it has been agreed that the family of Vinita Lamba will have free access to the terrace which is in joint occupation of the family of Vinita Lamba and Promila Lamba. The keys of the terrace and floor levels have been handed over to Vinita Lamba.

It has been agreed that the bolts which have been fixed on the doors at the various levels/floors will be removed by Promila Lamba and her family and to address the concern of Promila Lamba qua

3

security hazards it has been agreed that the iron grill door on the ground floor shall be replaced with a Godrej/a good standardized lock and the keys of which will be shared by both Vinita Lamba and Promila Lamba. The bolts shall be removed within a period of four days and the lock shall be affixed at the ground floor/level door.

Learned counsel for the State submits that it at all the prayers made in the petitions are allowed and the FIRs are permitted to be quashed it should be subject to costs as the State has incurred expenses and they have wasted precious time of the Court as well.

Noting the above factual matrix and the fact that the families of both the petitioners in the respective FIRs having brought their grievances to a close but also noting the submission of the learned counsel for the State while allowing the prayers made in the present petitions and quashing the FIR No.427/2015 registered Sections 354/509/323 of the IPC as also the FIR No.428/2015 registered under Sections 353/451/34 of the IPC registered at police station Rajender Nagar and all the proceedings emanating therefrom, the petitioners (in each petition) are burdened with costs of Rs.20,000/- to be deposited by them with the Delhi High Court Legal Services Committee.

Petitions disposed of.

INDERMEET KAUR, J

SEPTEMBER 30, 2015

ndn