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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 689/2016 & CRL.M.A. 3810-3811/2016
NEETU MEHTA

..... Petitioner

Through: Mr Ashish Upadhyay, Advocate.

versus

STATE & ORS

..... Respondents

Through: Mr Rahul Mehra, Standing Counsel (Crl.)
with Mr Amrit Singh, Advocate.
SI Amit Sharma, PS- Sarita Vihar.

CORAM:
HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

02.03.2016

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The present is a petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 seeking quashing of FIR No.758/2015 under Sections 380/182 IPC registered at Police Station- Sarita Vihar, Delhi.

The subject FIR came to be registered on an allegation made by the petitioner- Ms Neetu Mehta alleging therein that a theft of gold jewellery and cash had taken place at C-707, Sarita Vihar, New Delhi, on 01.10.2015. The subject FIR admittedly was registered against unknown persons. It so transpires that subsequently it was discovered that Neetu Mehta was herself a suspect/accused in the case and the actual victim was her sister Ms Rubi Ohri whose jewellery she had allegedly misappropriated.

Ms Rubi Ohri, the actual victim, who is present in court and has been identified by SI Amit Sharma, PS- Sarita Vihar, states that the entire incident occurred as a consequence of a misunderstanding between the siblings and that subsequent to the registration of the subject FIR all her jewellery as well as the cash has been returned to her by Ms Neetu Mehta who has expressed remorse

and tendered unconditional apology to her sibling in this behalf.

Mr Rahul Mehra, learned Standing Counsel (Crl.) appearing on behalf of the police states that Ms Neetu Mehta has already been enlarged on anticipatory bail by the Sessions Court in the subject FIR. In view of the circumstances attendant and antecedent as afore-stated they do not oppose the grant of the relief prayed for in the present petition.

In view of the foregoing since the real victim has forgiven her sibling Ms Neetu Mehta for the subterfuge that led to the registration of the subject FIR, no useful purpose will be served by proceeding with the subject FIR.

Consequently, the FIR No.758/2015 under Sections 380/182 IPC registered at Police Station- Sarita Vihar, Delhi, is hereby set aside and quashed qua the petitioner subject to her rendering social service at the Mata-Ka-Mandir, New Friends Colony, New Delhi, for an hour every day between 5p.m. to 6p.m. for a period of one month from today. A certificate in this behalf be obtained from the Pujari of the said temple at the expiry of the period of one month and furnished to the IO in the subject FIR within a period of one week thereafter.

With the above direction the writ petition is allowed and disposed of accordingly.

SIDDHARTH MRIDUL, J

MARCH 02, 2016

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