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

Date of decision: 06.05.2016

+ W.P.(CRL) 1411/2016 & CRL.M.A. No. 7312/2016

RAJNI ADLAKHA & ANR

..... Petitioners

Through Mr. Pramod Jalan, Advocate along
with petitioners

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through Mr. Sanjay Lao, ASC (Crl.)
SI Desraj, PS Vikas Puri
Mr. Neeraj Kumar Shah, Adv. for R-2
along with respondent no. 2

CORAM:

HON'BLE MR JUSTICE SIDDHARTH MRIDUL

SIDDHARTH MRIDUL, J (ORAL)

CRL.M.A. 7312/2016 (Exemption)

1. Exemptions allowed subject to all just exceptions.
2. The application is disposed of accordingly.

W.P.(CRL) 1411/2016

1. 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. 290/2016, under Section 380 IPC registered at Police Station- Vikas Puri, Delhi and the proceedings emanating therefrom.

2. The subject FIR came to be registered on a complaint filed by Smt. Kanchan Kukreja, respondent no. 2 herein, who is the mother of petitioner no. 1- Rajni Adlakha, to the effect that the latter along with her husband – Amit Adlakha, petitioner no. 2, had removed valuable jewellery from the possession of the complainant in the subject FIR without her permission.

3. Smt. Kanchan Kukreja, the respondent no.2/complainant in the subject FIR, who is present in person in Court today and has been identified by her counsel and has also produced her original PAN Card for the Court's perusal, states that the dispute that led to the registration of the subject FIR, which came to be lodged owing to a misunderstanding, has since been resolved amicably between her on the one hand and her daughter- Rajni Adlakha, petitioner no. 1 and Amit Adlakha, petitioner no. 2 herein, on the other.

4. In the present case, it is observed that the complainant has also addressed a communication to the SHO of the concerned Police Station

clearly and unequivocally expressing her desire not to pursue the subject FIR and the proceedings emanating therefrom. The same is annexed as Annexure 'P-2' to the present petition at page 24 of the petition.

5. Smt. Kanchan Kukreja, the respondent no. 2/complainant in the subject FIR has filed an affidavit before this Court in support of her statement that the underlying dispute owing to which the subject FIR came to be instituted was a misunderstanding between her and her daughter- Rajni Adlakha, petitioner no. 1 and Amit Adlakha, petitioner no. 2 herein; and as the same has been resolved amicably by and between the parties; the subject FIR and the proceedings emanating therefrom be quashed against the petitioners.

6. In view of the foregoing, since the dispute that led to the registration of the subject FIR, has been amicably resolved by and between the parties, no useful purpose will be served by proceeding with the subject FIR and the proceedings emanating therefrom.

7. Resultantly, FIR No. 290/2016, under Section 380 IPC registered at Police Station- Vikas Puri, Delhi and the proceedings emanating therefrom are hereby set aside and quashed *qua* the petitioners subject to their depositing a sum of Rs.10,000/- (in aggregate) with the Victims'

Compensation Fund within a period of two weeks from today. The copy of the receipt thereof be provided to the IO in the subject FIR.

8. With the above directions, the present writ petition is allowed and disposed of accordingly.

MAY 06, 2016
sd

SIDDHARTH MRIDUL, J

