

#23

IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 12.01.2016

W.P.(CRL) 88/2016

USHA SIWAN

..... Petitioner

Through: Mr. R.K. Saini, Advocate

versus

STATE (GNCT OF DELHI) & ANR

..... Respondents

Through: Ms. Kamna Vohra, ASC (Criminal)
with SI Jatan Singh, DIU/SD for R-1
Mr. Sitab Ali Chaudhary, Advocate
for R-2

CORAM:

HON'BLE MR JUSTICE SIDDHARTH MRIDUL

SIDDHARTH MRIDUL, J (ORAL)

CRL.M.A.484/2016 (Exemption)

Exemption granted subject to all just exceptions.

The application is disposed of accordingly.

W.P.(CRL) 88/2016 & CRL.M.A.483/2016 (Stay)

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 (Cr.P.C.)

seeking quashing of FIR No.561/2014, under Sections 385/506 IPC, registered at Police Station- Fatehpur Beri, Delhi and the proceedings arising therefrom.

2. It is an admitted position that the offences alleged to have been committed by the petitioner Usha Siwan are bailable and compoundable within the meaning of Section 320 CrPC.

3. The subject FIR came to be registered on an allegation made by the complainant herein Mr. Salim Ahmed S/o Mr. Bakhtawer Khan to the effect that Usha Siwan, the petitioner herein, had tried to extort money from him under the threat of physical injury.

4. The complainant as well as the petitioner, who are present in person and are represented by their counsel, state that they have arrived at an amicable resolution of their disputes that led to the registration of the subject FIR.

5. At this stage, it would be relevant to notice that a cross-FIR has been registered against the complainant herein at the instance of the petitioner herein at Police Station – DLF Phase-II, Gurgaon, Haryana. This Court is

not concerned with the said cross-FIR and is, therefore, not making any comments thereon.

6. In view of the foregoing, the misunderstanding that led to the registration of the subject FIR has been resolved amicably by and between the parties without any undue influence, pressure or coercion, no useful purpose will be served by proceeding with the subject FIR and the proceedings arising therefrom.

7. Consequently, FIR No.561/2014, under Sections 385/506 IPC, registered at Police Station- Fatehpur Beri, Delhi and the proceedings arising therefrom are hereby set aside and quashed *qua* the petitioner subject to her depositing a sum of Rs.10,000/- with the Victims' Compensation Fund, Government of NCT of Delhi within a period of two weeks from today. A copy of the receipt of the said deposit shall be furnished to the concerned IO SI Jatan Singh.

8. The writ petition is allowed and disposed of accordingly. The pending application also stands disposed of.

SIDDHARTH MRIDUL, J

JANUARY 12, 2016/dn