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

+ CRL.M.C. 4705/2015

MONA LALWANI & ANR

..... Petitioners

Through: Mr. A.S. Rajput, Advocate

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR..... Respondents

Through: Mr. Akshai Malik, APP with SI Mahavir
Singh, PS Vijay Vihar

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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14.08.2018

On the petition moved by Rahul Lalwani, husband of the second respondent, it being registered as WP(Crl.) 1558/2013, a learned single Judge of this court by order dated 26.09.2013 had directed first information report (FIR) no.431/2011 registered under Sections 498A, 406 IPC of police station Vijay Vihar, Delhi and “*all the proceedings emanating therefrom to be quashed*”. The petitioners before this court make a similar prayer under Section 482 Cr. PC respecting the same very FIR, they being described as Mona Lalwani (mother-in-law) and Sonu Duseja @ Leena Duseja (nanad / sister-in-law).

The second respondent was served pursuant to the notice issued in terms of the orders passed earlier. She has, however, failed to appear in these proceedings from 22.08.2017. The grounds on the basis of which the present petition is brought also relate to the CRL.M.C. 4705/2015

settlement agreement dated 24.11.2012 which had been entered upon by the complainant i.e. the second respondent with the husband Rahul Lalwani.

Given the import and effect of the order dated 26.09.2013 in WP(Crl.) 1558/2013, there is no occasion for a second order to be passed for quashing of the same very FIR. If any proceedings have continued against the persons other than Rahul Lalwani in the wake of the charge-sheet submitted pursuant to the above mentioned FIR, the same would be without the authority of law and *non-est*.

With these observations, the petition is disposed of.

R.K.GAUBA, J

AUGUST 14, 2018

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