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

+ **W.P.(CRL) 2562/2019**

SACHIN VASUDEVA

..... Petitioner

Through Mr Mohit Mathur, Senior Advocate with
Mr Rajesh Kumar, Mr Abhishek Kaul, Mr S.N.
Maurya, Advocates.

versus

STATE & ANR.

..... Respondents

Through Mr Sanjay Lao, ASC with Mr Karan Jeet
Rai Sharma, Advocate with SI Sandeep Singh,
P.S. Punjabi Bagh.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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12.09.2019

CRL.M.A. 35642/2019

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

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3. The petitioner has filed the present petition, *inter alia*, praying that the FIR No. 576/2018 under Section 354/354(B) IPC registered at P.S. Punjabi Bagh, Delhi be quashed.
4. It is stated that the petitioner is the brother of respondent no.2's husband (Mr Joy Lakhina). Respondent no.2 was married to Mr Joy Lakhina. The said marriage was solemnized on 28.04.2017. It is stated that certain disputes arose between respondent no.2 and Mr Joy Lakhina. Consequently, Mr Joy Lakhina had filed a divorce petition under Section

13(1) (i-a) of Hindu Marriage Act, 1955 (HMA No. 979/2019). It is stated that the said disputes were resolved by the said parties – Mr Joy Lakhina and respondent no.2 – before the Counselling Cell, Family Court, (West) District, Tis Hazari Courts, Delhi. It is stated that in terms of the said settlement, the said parties have since been divorced. It is also stated that respondent no.2 has agreed to withdraw the FIR in question as well.

5. The petitioner, respondent no.2 and Mr Joy Lakhina are all present in Court today. The petitioner is identified by the learned counsel appearing for the petitioner. Respondent no.2 is identified by the Investigating Officer.

6. Respondent no.2 states that she has no grievance against the petitioner and does not wish to pursue the complaint filed against the petitioner. Accordingly, she joins the petitioner in praying that the FIR in question be quashed. It is also stated that the said FIR was registered due to the disputes that had arisen between respondent no.2 and her husband (Mr Joy Lakhina).

7. The petitioner also states that he has no grievance against respondent no.2.

8. The learned counsel appearing for the petitioner states that a sum of ₹40 lakhs, which was to be paid to the respondent no.2 at the time of quashing of the FIR, has already been deposited before the Family Courts (West), Tis Hazari Courts, Delhi in Case No. HMA No. 1794/2019 captioned “Joy Lakhina v. Payal Kumar”. The parties had agreed that after the quashing of the FIR, respondent no.2 would be at liberty to withdraw the said sum from the said Court without any objection from any party.

9. Mr Joy Lakhina is also present in Court and he is identified by the counsel for the petitioner. He also states that he would have no objection to respondent no.2 withdrawing the amount of ₹40 lakhs from the Family

Court.

10. In view of the statement made by respondent no.2, this Court is of the view that the ends of justice would be served in quashing the FIR in question.

11. In view of the above, the FIR No. 576/2018 under Section 354/354(B) of IPC registered at P.S. Punjabi Bagh, Delhi and all proceedings emanating therefrom, are quashed.

12. It is clarified that this order is subject to the amount of ₹40 lakhs being made available to respondent no.2.

13. The petitioner, respondent no.2 and Mr Joy Lakhina shall sign the present order as an acknowledgment of the statements recorded herein.

14. Order *dasti* under the signature of Court Master.

VIBHU BAKHRU, J

SEPTEMBER 12, 2019

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