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

+ CRL.M.C. 251/2024 & CRL.M.A. 986/2024

SHITIZ SALUJA

..... Petitioner

Through: Mr. Rajal Rai Dua and Mr. Rohan Sharma, Advocate with petitioner in person.

versus

STATE & ANR

..... Respondents

Through: Mr. Naval Kishore Jha, APP for State along with Inspector Ajay Singh Negi, SHO, PS Ashok Vihar with HC Rohtash PS Ashok Vihar
Mr. Naveen Kumar Goyal, Advocate for respondent No.2 along with respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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11.01.2024

1. The present proceedings are instituted under Section 482 Cr.P.C. seeking quashing of FIR No. 763/2022 registered under Section 380 IPC at Police Station Ashok Vihar, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR, on 27.09.2022 at around 8 pm, when the complainant opened her locker, she found some of her jewellery and cash missing from the same.
3. Mr. Naval Kishore Jha, learned APP for the State, on instructions, submits that the petitioner is the only accused person and respondent No.2 is the only complainant in the present case. It is further submitted that the trial is at the stage of prosecution evidence.
4. Learned counsel for the petitioner submits that the parties are husband



and wife however, they have been living separately since 01.02.2019, and have sought divorce by mutual consent. The first motion in this regard has been filed and the same has been allowed vide order dated 31.08.2023 passed in HMA No.1688/2023. It is further stated that the parties have amicably settled their dispute. An affidavit of respondent No.2/Complainant has been placed on record wherein she states that in view of the settlement arrived at between the parties, she is not interested in pursuing the present proceedings and that she has no objection if the present FIR is quashed.

5. The petitioner as well as the respondent No.2, who are present in Court, have been identified by their counsel as well as the I.O./ HC Rohtash PS Ashok Vihar, Delhi.

6. Respondent No. 2 also states that she has entered into the settlement out of her own free will, volition and without any coercion. She further states that she has no objection if the present FIR and consequent proceedings are quashed.

7. The parties shall remain bound by the statements made in Court today.

8. In view of the above facts and considering that no useful purpose will be served in continuance of the proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed.

9. The petition along with pending application is disposed of in above terms.

MANOJ KUMAR OHRI, J

JANUARY 11, 2024/rd