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

+ **W.P.(CRL) 3370/2023**

**ALOK NANDA & ANR.**

..... Petitioners

Through: Mr. Pawan & Mr. Vipul Sharma,  
Advocates.

versus

**STATE OF DELHI & ORS.**

..... Respondents

Through: Mr. Anand V. Khatri, Standing  
Counsel for GNCTD with S.I.  
Shailendra, P.S.: Bharat Nagar.  
ASI Om Prakash, P.S.: Roop Nagar.  
Mr. Arun Sharma & Mr. Mairajuddin,  
Advocates for R-2 with R-2 in-  
person.

**CORAM:**

**HON'BLE MS. JUSTICE SWARANA KANTA SHARMA**

**ORDER**

**30.01.2024**

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1. The present writ petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been instituted on behalf of the petitioner seeking quashing of FIR bearing no. 113/2021, registered at Police Station Roop Nagar, for offences punishable under Sections 323/354/354(B)/406/506/509/34 of the Indian Penal Code, 1860 ('IPC').
2. Issue notice. Mr. Anand V. Khatri, learned ASC accepts notice on behalf of the State.
3. Petitioners are present before this Court and have been identified by his counsel Mr. Pawan and Investigating Officer (IO) ASI Om Prakash,



Police Station Roop Nagar.

4. Brief facts of the present case are that on 22.04.2019, an agreement to sell was executed between the husband of respondent no. 2 and petitioner no. 1, which got executed through petitioner no. 2, on the basis of which respondent no. 3 invested a sum of Rs. 31,00,000 into the said property. In March 2021, some disputes had arisen between the parties regarding refund of money. On 16.03.2021, around 03:45 PM, the alleged incident of molestation took place at the office of petitioner no. 1. It is stated that respondent no. 2 made a complaint to Police Station Roop Nagar against the petitioners on the basis of which FIR No. 113/2021 was registered against the petitioner. On 03.06.2021, FIR bearing no. 272/2021 was registered against petitioner no. 2 at Police Station Bharat Nagar. On 24.08.2022, the Court had referred the present matter to mediation and the matter was settled between the parties *vide* mediation settlement dated 18.04.2023. Hence, the present petition was instituted.

5. A Demand Draft for the remaining amount was handed over to the complainant, however a copy of the same has not been provided in the Court.

6. The complainant is present and states that she has amicably resolved her differences of her own free will, volition and without any coercion, pressure or threat. In my opinion, no useful purpose will be served in continuance of the proceedings, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing FIR in question.

7. Consequently, FIR bearing no. 113/2021, registered at Police Station Roop Nagar, for offences punishable under Sections



323/354/354(B)/406/506/509/34 of the IPC registered at Police Station Roop Nagar and proceedings pursuant thereto are hereby quashed, subject to the petitioner depositing the cost of Rs. 20,000/- with the Advocates Welfare Fund, Tis Hazari Courts within a week and the receipt thereof will be filed in proof thereof.

8. In case the said Demand Draft, which is handed-over to the complainant today, is not encashed, the petitioners will transfer the amount through RTGS to respondent no. 2, or otherwise the present order will be recalled.

9. Accordingly, the petition stands disposed of.

10. The order be uploaded on the website forthwith.

**SWARANA KANTA SHARMA, J**

**JANUARY 30, 2024/at**

[Click here to check corrigendum, if any](#)