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

+ **CRL.M.C. 6004/2024 and CRL.M.A. 22897/2024**

VIJAY KUMAR

.....Petitioner

Through: Mr. Ashwani Jha, Ms. Shivangi
Malik, Mr. Hari Krishan, Mr. Sachin
Kumar and Mr. Kumar Prashant,
Advs.

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Adv. Amit Ahlawat Ld. APP along
with Shruti Tandon, Mitul Sehrawat,
Litesh Batra, Shivani Verma, Paulmi
Yadav, G.M. Thakur Advocates with
SI Priti, PS Khajuri Khas.
Mr. Ashish Pratap Singh, Adv. for R-
2.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

05.08.2024

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1. This petition has been filed seeking quashing of FIR No.224/2024 PS Khajuri Khas under Sections 376/506 IPC on the basis of a No Objection Certificate given by the complainant, through affidavit, where she states that she has no objection to the FIR and the proceedings being quashed.
2. She has stated in her affidavit that they were in a relationship since 2021. Over a period time, misunderstanding and differences occurred between them and due to that the FIR was lodged.



3. The petitioner and respondent No.2 are both present in Court and duly identified by the counsels. Respondent No.2 was queried in the presence of her counsel, whether she has given her no objection without any pressure or coercion, and she affirms that she has.
4. However, attention is drawn to anticipatory bail order of this Court dated 17th May, 2024 where all facts and circumstances had been mentioned. Physical relations were established on the pretext of the marriage, over the course of four years and she continued to stay in a live-in relationship with the petitioner, who was already married. It is noted in the said order that the petitioner had bought a property in joint name with the complainant and the sale deed was shown to the Court.
5. Today, the petitioner, who appears along with his counsel, gives an undertaking that they shall transfer the said property in favour of the complainant and shall take all steps in this regard, *inter alia* by way of a relinquishment deed or any other deed applicable in the context.
6. Copy of the sale deed has been shown to this Court. Counsel for the petitioner states that an affidavit confirming this undertaking shall be placed on record, before this Court, within a period of one week from today, and copy of the same shall be given to the IO and counsel for the complainant.
7. Relevant proceedings in relation to the relinquishment of the rights in the property to the complainant shall be done expeditiously, preferably within a period of 15 days.
8. The original documents of the property have been provided to the complainant through their counsel in Court itself.
9. In these circumstances, the FIR stands quashed.



10. In case, the above directions are not complied with the complainant or the State will be at liberty to approach this Court for appropriate directions.

11. Considering the above settlement between the parties and the chances of conviction of the petitioners being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Accordingly, the petition is allowed. Consequently, the FIR No. No.224/2024 PS Khajuri Khas under Sections 376/506 IPC and proceedings emanating therefrom are quashed.

12. Parties shall abide by the terms of settlement.

13. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.

14. Order be uploaded on the website of this Court.

ANISH DAYAL, J

AUGUST 5, 2024/MK