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

+ **CRL.M.C. 6652/2024**

KAJAL

.....Petitioner

Through: Mr. Y.P. Sharma, Advocate with
petitioner in person.

versus

**STATE (GOVT. OF NCT OF DELHI)
AND ANR.**

.....Respondents

Through: Ms. Manjeet Arya, APP for State with
ASI Vikram Singh, P.S. Karawal
Nagar.
Mr. Nikhil Bharti, Advocate with R-2
in person.

**CORAM:
HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN**

**ORDER
28.10.2024**

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1. The present petition is filed under section 482 of the Code of Criminal Procedure, 1973 or in the alternate under section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR bearing no.0167/2017 registered under sections 323/354D/506/34 of the Indian Penal Code, 1860 (hereinafter '**IPC**') at P.S. Karawal Nagar, Delhi along with consequential proceedings.
2. Issue notice.
3. Ms. Manjeet Arya, Additional Public Prosecutor assisted by Investigating Officer ASI Vikram Singh, P.S. Karawal Nagar, accepts notice on behalf of respondent no.1/State. Mr. Nikhil Bharti, Advocate accepts



notice on behalf of the respondent no.2.

4. The present FIR bearing no.0167/2017 under sections 323/354D/506/34 IPC at P.S. Karawal Nagar, Delhi was registered on 28.04.2017 on the complaint made by respondent no.2 on the basis of allegations as stated in the FIR. After completion of investigation, the chargesheet for the offences punishable under sections 323/354D/427/506/509/34 IPC wherein the petitioner along with Pushpa Sharma, Shyam Sharma and Vijay Sharma were implicated. It is stated that the co-accused persons namely Pushpa Sharma, Shyam Sharma and Vijay Sharma have already expired and their death certificates are also placed on record. The petitioner was charged for the offences punishable under sections 323/506/509/427/34 IPC vide order dated 26.04.2023 passed by the trial court.

5. The Additional Public Prosecutor for the respondent no.1/State also stated that the co-accused persons namely Pushpa Sharma, Shyam Sharma and Vijay Sharma have already expired and the proceedings qua the said persons has already been abated by the trial court.

6. The petitioner and respondent no.2 stated that they have already settled/compounded with each other vide proceedings dated 28.03.2024 before the court of Ms. Renu Chaudhary, MM, Mahila Court-01, North East, Karkardooma Courts, Delhi.

7. The respondent no.2 also stated she does not have objection if the present petition is allowed and the FIR bearing no.0167/2017 registered under sections 323/354D/506/34 IPC at P.S. Karawal Nagar, Delhi is quashed along with consequential proceedings including judicial proceedings stated to be pending before the court of Ms. Renu Chaudhary,



MM, Mahila Court-01, North East, Karkardooma Courts, Delhi.

8. The Additional Public Prosecutor for the respondent no.1/State also stated that she does not have any objection if the present petition is allowed and the FIR bearing no.0167/2017 registered under sections 323/354D/506/34 IPC at P.S. Karawal Nagar, Delhi is quashed along with consequential proceedings including judicial proceedings stated to be pending before the court of Ms. Renu Chaudhary, MM, Mahila Court-01, North East, Karkardooma Courts, Delhi.

9. Accordingly, the present petition is allowed and the FIR bearing no.0167/2017 registered under sections 323/354D/506/34 IPC at P.S. Karawal Nagar, Delhi is quashed along with consequential proceedings including judicial proceedings stated to be pending before the court of Ms. Renu Chaudhary, MM, Mahila Court-01, North East, Karkardooma Courts, Delhi qua the petitioner.

10. The present petition stands disposed of along with pending applications, if any.

DR. SUDHIR KUMAR JAIN, J

OCTOBER 28, 2024

VLD