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

+ CRL.M.C. 1697/2025

SEEMA AND ORS.

.....Petitioners

Through: Mr. K.K. Mishra, Advocate with
Petitioners.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondent

Through: Mr. Shoaib Haider, APP for the State
with SI Sumeet, PS Vivek Vihar,
D/6224.

Mr. Shashank Arora, Advocate for R2
with R2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

02.07.2025

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1. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) has been filed on behalf of the Petitioners for quashing of FIR No. 219/2022 dated 31.03.2022 under Section 323/341/506 and 34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) registered at Police Station Vivek Vihar, Delhi and all the consequential proceedings emanating therefrom.
2. Issue Notice.
3. On advance Notice, learned APP has appeared and accepts the Notice on behalf of the State.
4. Brief facts of the case are that Mr. Shiv Karan Kulhari is the deceased



husband of the Petitioner No. 1, namely, Ms. Seema and father of the Petitioner No. 2, during his lifetime, in the name of the Respondent No. 2/Complainant and his mother being Mrs. Savitri Devi, purchased the property bearing No. 39 *vide* Sale Deed dated 27.07.2005.

5. The Respondent No. 2/Complainant on 02.08.2006 bequeathed the property bearing No. 10-B/64-E out of Khasra No. 226 situated in the area of Village Maujpur, in the abadi known as Shiv Mandir Marg, Gali No. 8, Maujpur, Ilaqa Shahdara, Delhi, to his son Mr. Shiv Karan Kulhari against the sale consideration of Rs.4,40,000/- *vide* Sale Deed. On 15.06.2010, the Respondent No. 2/Complainant executed a GPA and two Wills, all dated 15.06.2010 in favour of Mr. Shiv Karan Kulhari, with respect to the aforementioned properties. Thereafter, Late Mr. Shiv Karan Kulhari executed a Will in favour of the Petitioner Nos. 1 and 2 on 10.08.2010 and left behind his wife and son as the only surviving legal heirs. On 26.06.2021, when the Petitioner No. 1 went out of Delhi, to meet his son, the Complainant along with Mr. Shiv Kumar Kulhari and with some associates stole cash, jewellery and other household items and ousted the other family members, without following the due process of law.

6. On 30.06.2021, Petitioner No. 1 lodged an FIR under Section 448/341/34 IPC at Police Station Vivek Vihar, District Shahdara, Delhi.

7. On the Complaint of the Respondent No.2/Complainant, FIR No. 219/2022 under Sections 323/341/506/34 IPC, got registered at Police Station Vivek Vihar, District Shahdara, Delhi. On 21.04.2022, on the Complaint of Mr. Shiv Kumar, another FIR No. 252/2022 dated 21.04.2022 also lodged at Police Station Farsh Bazar, District Shahdara, Delhi.



8. The Petitioners and the Respondent No. 2 have amicably settled all the disputes and differences between them and arrived at Settlement *vide* Compromise Deed dated 28.01.2025.

9. Today, the Respondent No. 2/Complainant, who is present in the Court, states that he has no objection if the FIR is quashed.

10. The Statement of the parties have already been recorded before the learned Joint Registrar. They have entered into the Settlement voluntarily and without any fear and coercion and undertake to remain bound by the terms of the said Settlement.

11. Considering the nature of the allegations and that they have settled the matter, the FIR No. 219/2022 dated 31.03.2022 under Section 323/341/506 and 34 IPC, registered at Police Station Vivek Vihar, Delhi and all the consequential proceedings emanating therefrom are quashed

12. The Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J

JULY 2, 2025/RS