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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 6937/2023& CRL.M.A. 25924/2023 (Exemption),
26057/2023 (stay)

MS AMTOJH SANDHU

.....Petitioner

Through: Mr. Shashank Mahesh Aggrawal and
Mr. Aditya Singh, Advs.

versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Yudhvair Singh Chauhan, APP for
the State

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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13.01.2025

1. This hearing has been done through hybrid mode.
2. The present petition under Section 482 of the Code of Criminal Procedure seeks the following prayers:-

“(a) Quash the notice cum orders dated 03.08.2023 (Annexure P-4) and 08.08.2023 (Annexure P-5) passed by the Special Executive Magistrate, New Delhi District;

(b) Quash the Kalandra proceedings initiated against the Petitioner by the Special Executive Magistrate, New Delhi District;

(c) Direct an enquiry into the malicious prosecution of the Petitioner by the Respondent Nos. 2 and 3;

(d) And any other order(s) may kindly be passed, which this Hon'ble Court deems fit and proper, towards the ends of equity, justice and good conscience.”

3. Status report dated 19.11.2024 authored by Inspector Sanjeev Kumar, SHO, P.S. Connaught Place has been filed and the same has been taken on



record. Through the said status report, the concerned SHO has placed on record the order dated 17.07.2024 passed by the learned Special Executive Magistrate, New Delhi District, whereby, the impugned *kalandra* has been disposed of. The said order reads as under:-

“The Kalandra was filed by S.H.O/Cont. Place through I.O. SI Ramesh Meena against above cited respondent vide D.D.No. 095 Dated 17.07.2024. In this Kalandra 1.0 has mentioned there in that above cited respondent and respondent of Kalandra No. 27/2023 are family members and quarrelled with each other on the issue of petty matters. They used filthy language and threatened Ms. Amtojh Sandhu to face the dire consequence. There were serious allegations between both parties. So, there were every likelihood of disturbance of the peace & public tranquillity within the jurisdiction of this court. The IO SI Ramesh Meena appeared before this court on 03.08.2023 and explained the facts of Kalandra. The Kalandra was admitted and notices was issued us 107/111 CrPC & 113 CrPC against the respondent with direction to furnish her bail bond us 116(3) CrPC as well as reply.

On 29.12.2023 respondent Zoravar Sandhu was present along with Counsel Raju Raj and submitted his bail bond u/s 116(3) CrPC, the same was accepted and placed on file. On 01.02.2024 the present proceeding was initiated as per report dated 07.07.2023 six months had passed but the proceeding was still in-complete. In this regard a petition was also pending in Delhi High Court. Therefore time period of the proceeding is being extended for next six month.

Today 26.07.2024 respondent Zoravar Sandhu was present along with Counsel Riwaz Rai. It is stated that mediation among the parties is going on Delhi High Court. However present proceeding was initiated by order dated 03.08.2023 almost one year has completed and as per the time bar the proceeding cannot be continue any further. Keeping in view with direction to maintain public peace and tranquillity present proceeding is closed. Initial bail bond u/s 116(3) CrPC is cancelled.

Order is pronounced in the open court and file be consigned to record.”



4. Learned counsel appearing on behalf of the petitioner submits that the notice in the present petition had been challenged and, therefore, the same should also be quashed.

5. In the opinion of this Court, since the proceedings stand culminated, the aforesaid notices have also merged into the final order passed by the learned Special Executive Magistrate, New Delhi District.

6. Further, it is noted that the *kalandra* pending before the learned Special Executive Magistrate for which quashing was sought already stands closed. The prayers (a) and (b) do not survive. Insofar as the prayer in clause (c) is concerned, the petitioner shall be at liberty to initiate appropriate proceedings in accordance with law.

7. Accordingly, the present petition is disposed of in the aforesaid terms.

AMIT SHARMA, J

JANUARY 13, 2025/NG