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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4175/2024, CRL.M.A. 15843/2024,**
CRL.M.A. 15960/2024

1. **MONALISA BANERJEE**
2. **DIPAYAN BANERJEE**
3. **SUSMITA MUKHERJEE**
4. **SAMARPIT MUKHERJEE**

.....Petitioners

Through: Mr. Joydeep Mazumdar, Mr. Debojyoti Bhattacharya and Ms. Momota C. Bhattacharya, Advocates and Petitioner No.1 in person.

versus

1. **STATE NCT OF DELHI**
2. **MS. RIYA BANERJEE**

.....Respondents

Through: Mr. Shoaib Haider, Ld. APP for State with SI Rahul Lamba DIU/South. Ms. Seema Misra, Advocate for R-2.

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+ **CRL.REV.P. 365/2018**

HC PARVEEN KUMAR

.....Petitioner

Through: Mr. Vikas Arora and Ms. Radhika Arora, Advocates.

versus

1. **STATE**



2. **MS. RIYA BANERJEE**

.....Respondents

Through: Mr. Amol Sinha, Ld. ASC for State
with SI Rahul Lamba DIU/South.
Ms. Seema Misra, Advocate for R-2.

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+ **W.P.(CRL) 1987/2019, CRL.M.A. 31673/2019**

1. **DR. SAMEER KALANI**

2. **DR. RAJ MISHRA**

.....Petitioners

Through: Mr. Siddharth Aggarwal, Sr.
Advocate with Mr. Faraz Maqbool,
Mr. Mrinal Kanwar, Mr. Sahil Ghai,
Mr. Visvajeet Singh Bhati, Ms. Sana
Juneja and Ms. A. Sahitya Veena,
Advocates.

versus

1. **STATE**

2. **RIYA BANERJEE**

.....Respondents

Through: Mr. Amol Sinha, Ld. ASC for State
with SI Rahul Lamba DIU/South.
Ms. Seema Misra, Advocate for R-2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **23.01.2025**

CRL.M.C. 4175/2024, CRL.M.A. 15843/2024, CRL.M.A. 15960/2024

1. The Petition under Section 482 Cr.P.C has been filed on behalf of the
Petitioners, for quashing of the FIR No.231/2017 under Sections



452/323/342/328/365/506/34 IPC, registered at Police Station Malviya Nagar.

2. *Briefly stated*, Petitioner No.1 to 4 are the biological mother, brother, maternal aunt and cousin brother of Respondent No.2. On 16.06.2017, the Respondent No.2 filed Complaint against the Petitioners and other accused persons for an incident which occurred on 11.06.2017. Based on her Complaint, FIR No. 231/2017 dated 16.06.2017 was registered at Police Station Malviya Nagar under Section 323/342/328/452/365/505/34 IPC.

3. The Chargesheet was filed by the Police before the Court of Learned M.M, where the Charges were framed against the accused including the Petitioners herein. The Petitioners approached this Court by way of Criminal Revision Petition and the Court directed the Petitioners and the Respondent No.2 to appear before the Coordinator, Delhi High Court Mediation and Conciliation Centre, wherein on 06.02.2023 a final Settlement was arrived at between the Petitioner No.1 to 4 and the Respondent No.2.

4. It is submitted that it was agreed that Accused/Petitioner No.1 Smt. Monalisa Banerjee would pay a total sum of Rs.46,50,000/- to her daughter Respondent No.2/Complainant for securing her future.

5. The Petitioner No.2 Smt. Monalisa Banerjee is present along with her counsel. The Respondent No.2 has appeared through Video Conferencing and confirms that there has been an amicable Settlement with the Petitioners and out of agreed amount of Rs.46,50,000/-, a sum of Rs.9,73,000/- remains to be paid, which is handed over today in the Court to her counsel vide Cheque No.008837 dated 23.01.2025 drawn on Union Bank, Kailash Colony, New Delhi. It is submitted that they are left with no grudge or



grievance against each other in any manner whatsoever. The Respondent No.2 submits that she has No Objection to the quashing of the FIR.

6. The other Petitioners are also present before this Court in-person, and have been identified by their counsel and Investigating Officer concerned who also endorse the Settlement.

7. In view of the submissions made, the Petition is allowed. Accordingly, the FIR bearing No. 231/2017 dated 16.06.2017 registered at Police Station Malviya Nagar under Section 323/342/328/452/365/505/34 of the Indian Penal Code, 1860 with all the subsequent proceedings and the Chargesheet is hereby quashed *qua* Petitioner No.1 to 4.

8. The Petition stands disposed of.

CRL.REV.P. 365/2018

1. A Revision Petition under Section 397 Cr.P.C read with Section 401 Cr.P.C has been filed on behalf of the Petitioner HC Parveen Kumar seeking setting aside the Order on Protest Petition dated 19.03.2018 passed by learned District & Sessions Judge, South, Saket in FIR No.231/2017 under Sections 452/323/342/328/365/506/34 IPC, registered at Police Station Malviya Nagar, summoning the Petitioner to face trial.

2. HC Parveen Kumar along with learned Counsel has appeared through Video Conferencing and has submitted that the proceedings FIR viz-a-viz be also quashed. The Complainant who is present through Video Conferencing and the learned counsel reaffirms that because there is a Settlement with other accused, there is no objection to the quashing of FIR against him including the other co-accused Abdul Gaffar, Virender, Anamika Dr. Isrual Haque.



3. Submissions heard.
4. Considering that the Complainant has settled the matter with Monalisa Banerjee and other family members, there would be no fruitful purpose in continuing with the trial against the other accused, who are only incidental accused persons.
5. In view of the submissions made, the entire FIR and all subsequent proceedings emanating there from stands quashed.

W.P.(CRL) 1987/2019, CRL.M.A. 31673/2019

1. A Petition under Articles 226 and 227 of the Constitution of India read with Section 482 Cr.P.C has been filed on behalf of the Petitioners Dr. Sameen Kalani and Dr. Raj Mishra seeking setting aside of Orders dated 19.03.2018, 23.03.2019 and 11.04.2019 passed by learned District & Sessions Judge, South, Saket and all proceedings consequential thereto in case arising from FIR No.231/2017 under Sections 452/323/342 /328/365/506/34 IPC, registered at Police Station Malviya Nagar.

2. **Submissions heard.**

3. Considering that the Complainant has settled the matter with Monalisa Banerjee and other family members and the two Doctors, there would be no fruitful purpose in continuing with the trial against the other accused, who are only incidental accused persons.
4. In view of the submissions made, the entire FIR and all subsequent proceedings emanating there from stands quashed.

NEENA BANSAL KRISHNA, J

JANUARY 23, 2025/va