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

+ CRL.M.C. 3933/2016

AMIT BANSAL & ORS.

..... Petitioner

Through: Mr. Neeraj Gupta, Advocate

versus

STATE & ANR.

..... Respondent

Through: Mr. Rajat Katyal, APP with ASI Prem
Lata
Mr. Anurag Ojha, proxy counsel for
Mr. Saurabh Goel, Advocate, for
respondent No.2

+ CRL.M.C. 3932/2016

SURESH CHAND GUPTA

..... Petitioner

Through: Mr. Neeraj Gupta, Advocate

versus

STATE & ANR.

..... Respondent

Through: Mr. Rajat Katyal, APP with ASI Prem
Lata
Mr. Anurag Ojha, proxy counsel for
Mr. Saurabh Goel, Advocate, for
respondent No.2

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

Signature Not Verified

Signing Date: 30.09.2024 17:20:36
Certify that the digital and physical file have
been compared and the digital data is as per
the physical file and no page is missing.

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ORDER

24.10.2016

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Crl.M.A. Nos. 16488/2016 and 16494/2016(exemption)

Exemptions allowed, subject to just exceptions.

Crl.M.C.No. 3932/2016 and 3933/2016

Issue notice. Mr. Katyal, APP, accepts notice for the State. Respondent No.2, the complainant/prosecutrix is also present through her counsel. She is identified by the investigating officer. Mr. Anurag Ojha, proxy counsel for Mr. Saurabh Goel, Advocate for the respondent No.2-complainant is also present and whose Vakalatnama has also been filed, also identifies her.

The present petitions have been filed by the respective petitioners to seek the quashing of FIR No. 556/2016 dated 29.07.2016 under Sections 376/354/406/498A/509/34 IPC registered at police station Narela, and the proceedings arising therefrom.

The petitioner in Crl.M.C. no. 3932/2016 is the father of the complainant-respondent No.2, whereas petitioners in Crl.M.C. No. 3933/2016 are the husband, father-in-law and mother-in-law of the complainant/respondent No.2. Both the petitions relate the aforesaid FIR. They are premised on ~~the~~ memorand~~um~~^a of understanding arrived at between the petitioners accused and the respondent No.2/complainant. Apart from the allegations arising out of matrimonial disputes between the complainant/respondent No.2 and petitioner No.1 in Crl.M.C. No. 3933/2016, other serious allegations were made by the complainant against her own father and father-in-law, which relate to the invocation of Sections 354 and 376 IPC. Respondent No.2 is present in court and looking to the nature of allegations,

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she was called to chamber and spoken to by the Court. The complainant has confessed that she was misled into making serious and wild allegations against the petitioners in both these petitions at the instance of another person whose name has been disclosed in an affidavit given by her to the investigating officer. She is extremely regretful about her conduct and stated that she had made the allegations out of her desperation in relation to the future of herself and her children, on account of her living conditions and her husband's income.

Respondent No.2 joins the prayer that the FIR in question and the proceedings arising therefrom be quashed against all the accused since she has realized her mistake. She has entered into a settlement and wishes to withdraw her complaint out of her own volition and without any coercion or duress. She states that she is now living happily with her husband and children in a separate accommodation separate from her in-laws and the matrimonial life and the future of herself and her children would be ruined in case the FIR and the proceedings arising therefrom are not quashed.

In view of the aforesaid, I am satisfied that no useful purpose would be served in continuing with the aforesaid FIR and the proceedings arising therefrom. The same are accordingly quashed.

Both the petitions stand disposed of.

OCTOBER 24, 2016

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VIPIN SANGHI, J