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

+ CRL.M.C. 1426/2018 & Crl. M.A. No. 5179/2018

BIMAL SINGH HAZARI
@ VIMAL SINGH HAZARI

..... Petitioner

Through Mr. Kaushik Kumar Dey, Mr.
Abhishek Grover and Ms. Abha
Sinha, Advs.

versus

STATE & ANR.

..... Respondents

Through Mr. G.M. Farooqui, APP with SI
Khajan Singh, P.S. Paharganj
Mohd. Imran, Adv. with respondent
no. 2 in person

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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20.03.2018

It is submitted that petitioner and respondent no.2 have settled their disputes amicably, therefore, FIR No.380/2017 under Sections 354/354-(A)/354(B)/509 IPC registered at police station Pahar Ganj on the complaint of respondent no. 2 may be quashed. Respondent no. 2 is present in Court along with her counsel and has been identified by SI Khajan Singh of police station Pahar Ganj. It has been pointed out that charge-sheet has been filed and trial court has framed charges under Sections 354 and 342 IPC. Copy of

the charge framed by the trial court has been placed on record as Annexure P-3. Respondent no. 2 says that she has now settled the matter with the petitioner of her own free will, voluntarily and without any undue force, pressure or coercion and she has no objection in case FIR is quashed. Affidavit of respondent no. 2 is also on record, wherein she has stated that with the intervention of respectable persons of society and relatives, matter has been settled and she has no objection in case FIR is quashed.

Keeping in view the settlement arrived at between the petitioner and respondent no. 2 voluntarily, no fruitful purpose would be served to keep the criminal proceedings pending. Accordingly, in the interest of justice, FIR No.380/2017 under Sections 354/342 IPC registered at police station Pahar Ganj and the consequent proceedings emanating therefrom, are quashed.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous. Petitioner be released from the jail, if not required in any other case. Dasti.

A.K. PATHAK, J.

MARCH 20, 2018
r.bararia

Item no. 23

Statement of Ms. Chitralekha D/o Rukmini Amma, aged 53 years, R/o Puthen Kandathil, Kothala PO. Pampady, Kerala.

On S.A.

I was married with respondent no. 2 on 10th July, 2013 at Srikrishna Temple, Guruvayoor, Kerala. Subsequently, marriage was registered under the Special Marriage Act, 1994. We could not live together for long. Disputes arose between us. I had filed a petition under Section 125 Cr.P.C. against the respondent no. 2 seeking maintenance. Subsequently, matter was settled by me with the respondent no. 2 vide Agreement dated 10th March, 2016 (Annexure P-5). Terms of the settlement have already been complied with except quashing of present FIR No. 709/2015 under Sections 323/406/506/34 IPC registered at Police Station Malviya Nagar. Our marriage has already been dissolved by a decree of divorce dated 30th September, 2016 passed by the Family Court, Ernakulam District (Annexure P-14). Subsequently, I had filed certain complaints before the certain authorities including National Commission of Women, National Human Rights Commission, New Delhi, Commissioner of Police, New Delhi, Dy. Commissioner of Police, New Delhi, NCW of Delhi and Kerala and Home

Ministry. I undertake to withdraw all the said complaints by making appropriate applications and/or writing letters within one month. I shall not pursue the said complaints. I also apologise for the complaints filed by me. I also undertake not to file any complaint in future against the respondent no. 2, since our marriage has already been dissolved and we have no concern with each other. I have already withdrawn the petition under Section 125 Cr.P.C. I have made this statement voluntarily, without any undue force, pressure or coercion. I have been explained the contents of this statement by my counsel in Malayalam.

R.O.& A.C.

A.K. PATHAK, J.

MARCH 20, 2018

r.bararia

Item no. 23

Statement of Ms. Saranya Praveen W/o Shri Praveen Gangadharan, aged 27 years, R/o 3F, Navaneetham, Asset Ocean Grove, South Chittoor - 682027

On S.A.

I have not filed any case nor any complaint against the respondent no. 2 and nor I intend to do so. I have made this statement voluntarily, without any undue force, pressure or coercion.

R.O.& A.C.

A.K. PATHAK, J.

MARCH 20, 2018
r.bararia