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

+ CRL.M.C. 1864/2018

PARMEET & ORS

..... Petitioners

Through: Mr. Rakesh Sharma with
Mr. Yogesh Vashisht, Advs.
Petitioner nos.1 to 4 in person.

versus

THE STATE (NCT OF DELHI) & ANR Respondents

Through: Mr. Kewal Singh Ahuja, APP for State.
SI Anil Kumar, PS Kanjhawala.
Counsel for the respondent no.2 with
Respondent no.2 in person.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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13.04.2018

Vide the present petition, the petitioners seek quashing of FIR No.528/2016 registered under Sections 498A/406/34, Indian Penal Code, 1860, PS Kanjhawla submitting to the effect that a settlement has been arrived at between the parties amicably and that all disputes amicably resolved. The Investigation Officer identifies petitioner nos. 1 to 4 as being the accused in the present petition and respondent no.2 as the complainant thereof. The respondent no.2 in her deposition on oath on examination by the Court has affirmed having sworn her affidavit Ex. CW2/C annexed to the petition and has *inter alia* testified to the effect that the settlement terms were recorded in

the joint statement dated 4.12.2017 in HMA No.2260/2017 before the Court of the Family Court, North-West, Rohini and the certified copy of the said Joint Statement is on record as Ex.CW2/A. She has stated there is no child from the wedlock and in terms of the said statement i.e. CW2/A, a total sum of Rs.9 lacs has been paid by to her by the petitioner, of which a sum of Rs.5 lacs has been received previously and a balance sum of Rs.4 lacs has been handed over by the petitioner by way of demand draft bearing no. 471921, photo copy of which is directed to be placed on record. She has further stated to the effect that there are no claims of hers left against the petitioners and that she does not oppose the prayer made by the petitioners seeking quashing of the FIR in question and all consequential proceedings emanating therefrom and does not want the petitioner nos. 1 to 4 to be punished in relation thereto.

On behalf of the State it is stated that in view of the settlement arrived at between the parties, there is no opposition to the prayer made by the petitioners seeking quashing of FIR in question.

The FIR is apparently lodged in view of the matrimonial disputes between the petitioner no.1 and the respondent no.2 which has since been resolved by the dissolution of marriage between the petitioner no.1 and the respondent no.2 by a decree of divorce with the mutual consent, certified copy of which is on record as Ex.CW2/B, it is considered appropriate in the interest of justice to put *a quietus* to the litigation in view of the verdict of the Hon'ble Supreme Court in ***Gian Singh vs. State of Punjab & Another***, (2012) 10 SCC 303 and

FIR No.528/2016 registered under Sections 498A/406/34, Indian Penal Code, 1860, PS Kanjhawla against the petitioners no. 1 to 4 and all consequential proceedings emanating therefrom are also quashed.

The petition is disposed of.

ANU MALHOTRA, J

APRIL 13, 2018
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CRL.M.C. 1864/2018

PARMEET & ORS

..... Petitioners

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondents

Statement of CW2, Ms. Varsha daughter of Sh.Suraj Pal aged 29 years

R/o. House No.134-E, Village & P.O. Mandapur, Dabas, New Delhi.

ON S.A.

The joint statement dated 4.12.2017 in HMA No.2260/17, certified copy of which is on record, bears signature thereof on points A on each page on Ex.CW2/A. In terms of the said joint statement, a settlement has been arrived at between me and the petitioners and a total sum of Rs.9 lacs was paid to me by the petitioners of which a sum of Rs.5 lacs has been received previously and the balance sum of Rs.4 lacs has been handed over to me now by the petitioners by way of demand draft bearing No.471921 dated 11.4.2015 drawn on the Oriental Bank of Commerce which has been received by me. Photocopy thereof be placed on record. The marriage between me and the petitioner No.1 has since been dissolved by obtaining decree of divorce by mutual consent dated 23.12.2017 in HMA No.2016/17 of the Family Court, North-West, Rohini and the attested copy thereof issued by the Judge Family Court, North-West is Ex.CW2/B. There are no claims of mine left against the petitioners. There is no child born from the wedlock between me and the petitioner No.1. In view of the settlement arrived at I do not oppose the prayer made by the petitioners seeking quashing of FIR No.528/2016, PS Kanjhawla u/S. 498A/406/34 of the Indian Penal Code, 1860, and all the consequential proceedings emanating therefrom against the petitioners. I do not want the petitioners to be

punished in relation thereto. I am pursuing my MA in Social Studies. I have made this statement voluntarily of my own accord without any duress, pressure or coercion from any quarter.

RO & AC
APRIL 13, 2018

ANU MALHOTRA, J

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Statement of Investigating Officer SI Anil Kumar, PS Kanjhawala.

ON S.A.

I identify the petitioner no. 1 Parmeet S/o Sh. Sardar Singh, petitioner no.2 Smt. Rani @ Sunita W/o Sh. Sardar Singh, petitioner no.3 Smt. Reena, W/o Sh. Shashipal and petitioner no.4, Sh. Shashipal S/o Sh. Tasveer as being the accused persons arrayed in the FIR No.528/2016, PS Kanjhawla u/S. 498A/406/34 of the Indian Penal Code, 1860. I also identify the respondent no.2, Ms. Varsha who is the complainant of the said FIR. Petitioner No.1 has produced the Election Identity Card bearing No.YD14011128. Photo copy of the same be filed. Proof of identity of the petitioners no.2 to 4 and respondent no.2 are on the record as Ex.CW1/A to CW1/D.

**RO & AC
APRIL 13, 2018**

ANU MALHOTRA, J