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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3229/2017**
KUNWAR SINGH BHANDARI & ORS Petitioners

Through: Mr. Mohit D Ram, Adv.

versus

STATE & ANR Respondents

Through: Ms. Meenakshi Dahiya, APP for State
with SI Devender, P.S. Dabri.
Respondent no.2 in person.

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **09.02.2018**

By this petition, petitioners have prayed for quashing of FIR No. 132/2010 under Sections 498A/34 IPC registered at police station Dabri, on the complaint of respondent no.2, and the consequent proceedings.

Facts of present case are quite peculiar. Son of petitioner nos. 1 and 2, namely, Tejender Singh Bhandari was married to daughter of respondent no.2, who unfortunately died on 15th February, 2009. Accordingly, FIR No. 132/2010 under Sections 498A/304B/34 IPC was registered against Tejender Singh Bhandari at police station Dabri. After the investigation, charge-sheet was filed against Tejender Singh Bhandari under Section 498A/304-B IPC. Petitioners were kept in Column No.12. Petitioners were not summoned by the trial court.

After the trial, Tejender Singh Bhandari was acquitted on 19th January, 2011 for the offences under Sections 498-A IPC and 304-B IPC. In the said case, PW16 Dr. Santosh Kumar had opined that the cause of death was natural, accordingly, trial court held that ingredients of offence under Section 304-B IPC were not attracted.

After acquittal of Tejender Singh Bhandari respondent-State has filed a supplementary charge-sheet under Sections 498-A/34 IPC against the present petitioners, who are relatives of Tejender Singh Bhandari. Trial court has framed charges under Sections 498A/34 IPC against the petitioners and trial is pending.

During the pendency of trial, petitioners and respondent no.2 have settled their disputes amicably before the Delhi Mediation Centre, Dwarka Court, New Delhi on 8th November, 2016, thus, it is prayed that the criminal proceedings under Sections 498-A/34 IPC against the petitioners may be quashed.

Respondent no. 2 is present in Court and has been identified by SI Devender of police station Dabri. She states that she has settled the matter with petitioners of her own free will and without any undue force, pressure or coercion. She admits having received the entire settled amount of ₹1 lac

from the petitioners. She says that she has no objection in case FIR and the consequent proceedings are quashed against the petitioners.

In the facts and the circumstances of this case as detailed above, I am of the view that no fruitful purpose would be served in keeping the FIR No. 132/2010 under Sections 498A/34 IPC at police station Dabri and the consequent criminal proceedings pending against the petitioners, who are relatives of Tejender Singh Bhandari.

Accordingly, in the interest of justice, aforementioned criminal proceedings are quashed against the petitioners.

Petition is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

FEBRUARY 09, 2018

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