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

+ CRL.M.C. 4698/2017

HITENDER RANA

..... Petitioner

Through Mr. Ruchika Singh, Adv.

versus

THE STATE GOVT OF NCT OF DELHI & ANR.... Respondents

Through Ms. Manjeet Arya, APP with ASI Tej
Ram, P.S. Najafgarh
Mr. Nidhi Kumar, Adv. with
respondent no. 2 in person
Mr. Vimal Puggal, Adv. for applicant
nos. 1 and 2

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **11.09.2018**

Crl. M.A. no. 20388/2018 (for impleadment)

Petitioner's co-accused Ms. Roshni Devi and Ms. Yogita seek their impleadment as respondent nos. 3 and 4 by this application.

Learned APP submits that Ms. Roshni Devi, Ms. Yogita and Mr. Mange Ram are also accused in FIR No. 817/2006 under Sections 498-A/406/34 IPC registered at Police Station Najafgarh on the complaint of respondent no. 2 Ms. Sharda Devi.

Accordingly, Ms. Roshni Devi, Ms. Yogita and Mr. Mange Ram Rana

are impleaded as respondent nos. 3 to 5. Amended memo of parties be filed during the course of the day.

Application is disposed of in the above terms.

CRL.M.C. 4698/2017

Petitioner is brother-in-law (*devar*) of respondent no. 2. FIR No. 817/2006 under Sections 498-A/406/34 IPC was registered at Police Station Najafgarh on the complaint of respondent no. 2. Mr. Mange Ram Rana, Ms. Roshni Devi and Ms. Yogita are father-in-law, mother-in-law and sister-in-law of respondent no. 2. They are also accused in the FIR besides the petitioner. Mr. Gurender Rana, husband of respondent no. 2 is not an accused. Charge-sheet has already been filed and trial is pending.

It is submitted that petitioner and respondent no. 2 have settled their disputes amicably; therefore, aforesaid FIR and consequent proceedings emanating therefrom may be quashed against the petitioner.

Respondent nos. 3 to 5 have no objection in case aforesaid FIR is quashed against the petitioner and trial continues against them.

Respondent no. 2 (complainant) is present in Court along with her counsel and has been identified by ASI Tej Ram of police station Najafgarh. Respondent no. 2 says that she has settled the matter with the petitioner of

her own free will and without any undue force, pressure or coercion and has no objection in case FIR and consequent proceedings emanating therefrom are quashed qua the petitioner.

Keeping in mind the settlement arrived at between the petitioner and respondent no. 2 voluntarily, in my view, no fruitful purpose would be served to keep the criminal proceedings pending against the petitioner. Accordingly, in the interest of justice, aforesaid FIR and consequent proceedings emanating therefrom are quashed against the petitioner only. Trial may proceed further against the respondent nos. 3 to 5.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous. Dasti.

A.K. PATHAK, J.

SEPTEMBER 11, 2018

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