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

+ CRL.M.C. 5306/2017 & Crl. M A No. 20812/2017

NAIN SINGH & ORS Petitioners

Through: Mr. Bhupesh Saini, Advocate
Along with petitioners in person.

versus

STATE (NCT OF DELHI) & ANR Respondents

Through: Mr. Raghuvinder Varma, APP for
State
Mr. Vishal Sharma, Advocate for R2
SI Pradeep, PS Begumpur
R-2, in person.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **23.04.2018**

Vide the present petition, the petitioner seeks quashing of the FIR No. 751/2015, under sections 354/506/509/34 Indian Penal Code, 1860 registered at Police Station Begum Pur, submitting to the effect that a settlement has since been arrived at between the petitioner and the respondent no. 2.

During the course of the proceedings when the matter was taken up on 18.12.2017 and submission was made on behalf of the respondent that the proceedings seeking quashing of FIR No. 1353/2015 registered at Police Station Mukherjee Nagar, which was pending between the parties, the matter was renotified for 20.2.2018, on which date, the proceedings could not be taken up.

On behalf of the petitioner, it has been submitted that a copy of

the petition in ***WP (CRL) No. 3567/2017 titled RAKESH KUMAR & ORS VS. STATE (NCT OF DELHI) & ANR.***, respondent no.2 herein which is the same as the respondent no. 2 under the said petition which indicates that FIR No. 1353/2015 registered at Police Station Mukherjee Nagar under Sections 498A/406/34 Indian Penal Code, 1860, have been quashed in view of the settlement made.

Respondent no.2 thereof has stated during the course of the submissions that she would not oppose to the quashing of the present FIR No. 751/2015, under sections 354/506/509/34 Indian Penal Code, 1860 registered at Police Station Begum Pur and would not raise any objections in relation thereof to the said effect.

The statement of respondent no. 2 is annexed with the affidavit Ex. CW-2/A, which having been given without any threat, duress, pressure and she further states that he has no objection in opposition of the FIR in question and she does not want the petitioners to be punished in relation thereto.

There is no reason to disbelieve that she has arrived at an settlement without any pressure, threat, coercion or duress from any quarter.

Keeping in view the order passed on 20.12.2017, in WP(CRL) No. 3567/2017, which is a cross-case between the parties and in terms of the deposition of respondent no. 2 and also the non-opposition on behalf of the State, the FIR No. 354/506/509/34 Indian Penal Code, 1860, against the petitioners no. 1 to 4 and the other consequential proceedings emanating therefrom are quashed.

The petition is disposed of.

APRIL 23, 2018/P

ANU MALHOTRA, J

Item 5

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NAIN SINGH & ORS. VS. STATE & ANR.

STATEMENT OF SI PRADEEP, PS BEGAMPUR, ON S A.

I identify the petitioner nos. 1 to 4 who are arrayed as accused in case FIR No.751/2015, under Sections 354/506/509/34 Indian Penal Code, 1860 registered at Police Station Begum Pur area, the respondent no.2, the complainant thereof, who are all present in Court.

R.O. & A.C.

ANU MALHOTRA, J.

23.04.2018.

Item 5

CRL. M C 5306/2017

23.4.2018

NAIN SINGH & ORS. VS. STATE & ANR.

STATEMENT OF MS. MONI GUPTA, AGED 28 YEARS, D/O. SHRI ARVIND KUMAR GUPTA, R/O. L-20, NEW POLICE LINES, KINGSWAY CAMP, DELHI, ON S.A.

My affidavit in support of the annexures made in the petition bears my signatures which are marked at points A and B and are exhibited as CW-2/A. I do not oppose the prayers made by the petitioners in case FIR No. 751/2015, under Sections 354/506/509/34 Indian Penal Code, 1860 registered at Police Station Begum Pur, Delhi, in view of the settlement arrived at between me and petitioners. The petitioner nos. 3 and 4 were my Mother-in-law and Father-in-law previously and petitioner nos. 1 to 2 were known to them. The marriage between me and Rakesh Kumar, son of petitioner nos. 3 and 4 arrayed to the present petition have since been resolved by a decree of divorce through mutual consent and proceedings in relation to FIR No. 1353/2015 registered at PS Mukherjee Nagar, has already been quashed.

I do not want to continue with the present proceeding and I have no objection to the quashing of the present FIR in question. I am a graduate and presently preparing to join the police force. There are no claims of mine left against the petitioner.

R.O. & A.C.

ANU MALHOTRA, J.

23.04.2018.