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

+ CRL.M.C. 6518/2019

KAPIL & ANR.

..... Petitioners

Through: Petitioners in person with Mr. Akash
Nagar & Ms. Ramisha Jain,
Advocates.

versus

STATE & ANR.

..... Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with HC Shailesh, PS Anand Parbat.
R-2 in person with Mr. Dhananjay
Singh Sehrawat, Advocate for R-2.

+ CRL.M.C. 6519/2019

LAXMAN SINGH TANWAR

..... Petitioner

Through: Petitioner in person with Mr.
Dhananjay Singh Sehrawat,
Advocate.

versus

STATE & ORS.

..... Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with HC Shailesh, PS Anand Parbat.
R-2 & 3 in person with Mr. Akash
Nagar & Ms. Ramisha Jain,
Advocates.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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28.02.2020

The petitioners of CRL.M.C. 6518/2019 namely Kapil and
Sonam are spouses with Mr. Kapil being the son of Laxman Singh

Tanwar arrayed as the respondent to the said petition with Mr. Laxman Singh Tanwar being the complainant of FIR No.104/2017, PS Anand Parbat under Sections 323/341/506/34 of the Indian Penal Code, 1860.

The petition CRL.M.C.6519/2019 filed by Mr. Laxman Singh Tanwar arrayed as an accused in FIR No.105/2017, PS Anand Parbat under Sections 354/354B/509/34 seeks the quashing thereof.

The Investigating Officer of the case is present and has identified the petitioners of both the petitions and complainants of both the FIRs and has also stated that in relation to FIR No.105/2017, PS Anand Parbat registered under Sections 354/354B/509/34 of the Indian Penal Code, 1860, Laxman Singh Tanwar was the sole person arrayed as an accused therein with the mother-in-law of Ms. Sonam i.e. the complainant having not been chargesheeted and having been arrayed in Column No.12.

The parties to both the petitions have produced their proof of identify and in their depositions testified to having sworn their affidavits placed on the records and also testified to having signed the compromise deed arrived at between them dated 30.11.2019 as placed on the records of CRL.M.C.6519/2019 as Ex.CW2/C and on the records of CRL.M.C.6518/2019 as Ex.CW4/C, of their own accord without any duress, coercion or pressure from any quarter.

Mr. Laxman Singh Tanwar is the father of Mr. Kapil and the father-in-law of Ms. Sonam. The parties have stated that there are now no problems between them and that they are living in the same

building at 17/108, Ground Floor, Gali No.3, Than Singh Nagar, Anand Parbat, Delhi and state that after the registration of the FIRs which have apparently emanated from a family discord which has since been resolved between the parties and there have been no problems between them and thus, they do not seek the continuation of the proceedings in relation to the FIR in question.

Both the complainants of the FIRs have stated that they do not oppose the prayer made by the respective accused in each of the cases seeking the quashing of the FIR nor they want the petitioners to be punished in relation thereto.

On behalf of the State, there is no opposition to the prayer made by the petitioner/petitioners seeking the quashing of the FIRs in question in view of the settlement arrived at between the parties and in view of the family matter being sorted out.

The statements recorded are placed on the records of CRL.M.C.6519/2019.

In view of the settlement arrived at between the parties, depositions made by the complainants of both the petitions and non opposition on behalf of the State, for maintenance of peace and harmony between the parties, it is considered appropriate to put a quietus to the litigation between the parties in relation to the FIRs in question.

In view thereof, FIR No.104/2017, PS Anand Parbat registered under Sections 323/341/506/34 of the Indian Penal Code, 1860 against the petitioner no. 1 Kapil and petitioner no.2 Sonam and FIR

No.105/2017, PS Anand Parbat registered under Sections 354/354B/509/34 of the Indian Penal Code, 1860 against the petitioner Laxman Singh Tanwar and all consequential proceedings emanating therefrom against them are thus, quashed.

The petitions are disposed of.

ANU MALHOTRA, J

FEBRUARY 28, 2020
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IN THE HIGH COURT OF DELHI: NEW DELHI

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CRL.M.C. 6518/2019 & CRL.M.C. 6519/2019

**KAPIL & ANR. VS. STATE & ANR. AND LAXMAN SINGH
TANWAR VS. STATE & ORS.**

28.02.2020

CW-1 HC Shailesh, PS Anand Parbat.

ON S.A.

I identify the petitioner no. 1 Kapil and petitioner no.2 Sonam as being the two accused arrayed in the FIR No.104/2017, PS Anand Parbat registered under Sections 323/341/506/34 of the Indian Penal Code, 1860 and I also identify the respondent no.2 Mr. Laxman Singh Tanwar as being the complainant of the said FIR and I also identify Mr. Laxman Singh Tanwar as being the petitioner of CRL.M.C.6519/2019 and I also identify the respondent no.3 Ms. Sonam as being the complainant of FIR No.105/2017, PS Anand Parbat registered under Sections 354/354B/509/34 of the Indian Penal Code, 1860 and the respondent no.2 Kapil as being the spouse of the respondent no.3 Ms. Sonam. There are no other persons arrayed as accused other than the petitioners in the two petitions in relation to the two FIRs referred to hereinabove.

The mother-in-law of Ms. Sonam i.e. the other accused in FIR No.105/2017, PS Anand Parbat was not charge sheeted in relation thereto and was put in Column No.12.

**RO & AC
28.02.2020**

ANU MALHOTRA, J

IN THE HIGH COURT OF DELHI: NEW DELHI

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CRL.M.C. 6518/2019 & CRL.M.C. 6519/2019

KAPIL & ANR. VS. STATE & ANR. AND LAXMAN SINGH TANWAR VS. STATE & ORS.

28.02.2020

CW-2 Ms. Sonam, w/o Sh. Kapil, d/o Sh. Rajesh, age 26 years, r/o 17/108, Ground Floor, Gali No.3, Than Singh Nagar, Anand Parbat, Delhi.

ON S.A.

I have brought my original proof of identity, photocopy of which is placed on the records of CRL.M.C.6519/2019 as Ex.CW2/A.

My affidavit in support of the averments made in the petition bears my signatures at points A & B on Ex.CW2/B. The Memorandum of Understanding dated 30.11.2019 between me and Laxman Singh Tanwar who is the petitioner in CRL.M.C.6519/2019 and arrayed as the respondent no.2 in CRL.M.C.6518/2019 also bears my signatures as visible at point A on Ex.CW2/C, I have signed these documents voluntarily of my own accord without any duress, coercion or pressure from any quarter.

The FIR No.104/2017, PS Anand Parbat under Sections 323/341/506/34 was registered against me and my spouse Kapil on the complaint of Mr. Laxman Singh Tanwar and my spouse being the son of Mr. Laxman Singh Tanwar.

The petitioner i.e. my father-in-law, my mother-in-law, me and my spouse are now living together in the same building. Pursuant to the settlement arrived at between me and the petitioner Laxman Singh Tanwar,

there have been no problems between us after the registration of the FIR and thus, I do not seek to continue the proceedings any further in relation to FIR No.105/2017, PS Anand Parbat registered under Sections 354/354B/509/34 of the Indian Penal Code, 1860 nor do I want the petitioner to be punished in relation thereto.

I am a graduate.

I have made my statement after understanding the implications thereof, voluntarily of my own accord without any duress, coercion or pressure from any quarter.

RO & AC
28.02.2020

ANU MALHOTRA, J

IN THE HIGH COURT OF DELHI: NEW DELHI

3 & 4

CRL.M.C. 6518/2019 & CRL.M.C. 6519/2019

KAPIL & ANR. VS. STATE & ANR. AND LAXMAN SINGH TANWAR VS. STATE & ORS.

28.02.2020

CW-3 Sh. Kapil, s/o Sh. Laxman Singh Tanwar, age 36 years, r/o 17/108, Ground Floor, Gali No.3, Than Singh Nagar, Anand Parbat, Delhi.

ON S.A.

I have brought my original proof of identity, photocopy of which is placed on the records of CRL.M.C.6519/2019 as Ex.CW3/A.

My affidavit in support of the averments made in the petition bears my signatures at points A & B on Ex.CW3/B. The Memorandum of Understanding dated 30.11.2019 between me and Laxman Singh Tanwar who is the petitioner in CRL.M.C.6519/2019 and arrayed as the respondent no.2 in CRL.M.C.6518/2019 also bears my signatures as visible at point B on Ex.CW2/C, I have signed these documents voluntarily of my own accord without any duress, coercion or pressure from any quarter.

The FIR No.104/2017, PS Anand Parbat under Sections 323/341/506/34 was registered against me and my spouse Sonam on the complaint of Mr. Laxman Singh Tanwar who is my father. Pursuant to the settlement arrived at between me and the petitioner Laxman Singh Tanwar, there have been no problems between us after the registration of the FIR and thus, I do not seek to continue the proceedings any further in relation to FIR No.105/2017, PS Anand Parbat registered under Sections 354/354B/509/34

of the Indian Penal Code, 1860 nor do I want the petitioner to be punished in relation thereto.

I have studied till Standard XII and I run a mobile shop.

I have made my statement after understanding the implications thereof, voluntarily of my own accord without any duress, coercion or pressure from any quarter.

RO & AC
28.02.2020

ANU MALHOTRA, J

IN THE HIGH COURT OF DELHI: NEW DELHI

3 & 4

CRL.M.C. 6518/2019 & CRL.M.C. 6519/2019

**KAPIL & ANR. VS. STATE & ANR. AND LAXMAN SINGH
TANWAR VS. STATE & ORS.**

28.02.2020

**CW-4 Sh. Laxman Singh Tanwar, s/o late Sh.Roop Chand, age 69 years,
r/o 17/108, Ground Floor, Gali No.3, Than Singh Nagar, Anand Parbat,
Delhi.**

ON S.A.

I have brought my original proof of identity, photocopy of which is placed on the records of CRL.M.C.6518/2019 as Ex.CW4/A.

My affidavit in support of the averments made in the petition bears my signatures at points A & B on Ex.CW4/B. The copy of the compromise deed dated 30.11.2019 between me and the petitioners namely Kapil and Sonam being my son and daughter-in-law respectively who are arrayed as the respondent nos.2 & 3 in CRL.M.C.6519/2019 and arrayed as the petitioner nos.1 & 2 in CRL.M.C.6518/2019 also bears my signatures as visible at point A on Ex.CW4/C as also visible at point C on the original compromise deed on Ex.CW2/C placed on the records of CRL.M.C.6519/2019, I have signed these documents voluntarily of my own accord without any duress, coercion or pressure from any quarter.

The FIR No.104/2017, PS Anand Parbat under Sections 323/341/506/34 was registered due to a misunderstanding which has since been resolved, in as much as, there have been no problems between us after the registration of the FIR and thus, I do not seek to continue the

proceedings any further in relation to FIR No.104/2017, PS Anand Parbat registered under Sections 323/341/506/34 of the Indian Penal Code, 1860 nor do I want the petitioners to be punished in relation thereto.

I have studied till Standard VII.

I have made my statement after understanding the implications thereof, voluntarily of my own accord without any duress, coercion or pressure from any quarter.

RO & AC
28.02.2020

ANU MALHOTRA, J