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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 663/2020**

TANUJ & ORS Petitioners
Through: Mr.Vishal Bhardwaj, Advocate

versus

THE STATE & ANR Respondents
Through: Mr.Kamal Kumar Ghai, APP for State
with SI Sunil Kumar PS Kanjhawala
Respondent No.2 in person.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
% **06.02.2020**
CrI.M.A. No. 2749/2020

Exemption allowed, subject to just exceptions.

CrI.M.C. No. 663/2020

The petitioners vide the present petition seek quashing of FIR No. 586/15 PS Kanjhawala registered under Sections 498A/406/34 of the Indian Penal Code, 1860 submitting to the effect that a settlement has been arrived at between the petitioners No. 1 to 4 and the respondent No.2 and that all disputes between them have since been resolved with the respondent No.2 having reconciled with the petitioner No.1 since 2019 and that the parties are living together now without any problems and that no useful purpose would be served by the continuation of the proceedings in relation to the FIR in question.

The Investigating Officer has identified the petitioners No. 1 to

4, namely, Tanuj, Smt. Kamla, Amarjeet and Ritu arrayed as being the accused in the FIR in question and the respondent No.2 as being the complainant of the said FIR.

The respondent No.2 in her deposition on oath has brought her original proof of identity, i.e., Aadhar Card, EX.CW-2/A and has affirmed having signed her affidavit in support of the averments made in the petition Ex.CW-2/B and the Memorandum of Understanding dated 10.8.2019 arrived between her and the petitioner No.1 EX.CW-2/C voluntarily of her own accord without any duress, pressure or coercion from any quarter. The respondent No.2 further submitted that pursuant to the settlement arrived at between her and the petitioner No.1, she has been living with the petitioner No.1 since August, 2019 and that the petitioners No.2 to 4 also reside at the same address where she lives with the petitioner No.1 along with her two minor children aged 6 years and 4 years without any problems now for the last five months and that she wants to continue to live with the petitioner No.1 and that the respondent No.2 does not oppose the prayer made by the petitioners seeking quashing of the FIR No. 586/15 PS Kanjhawala registered under Sections 498A/406/34 of the Indian Penal Code, 1860, nor does she want them to be punished in relation thereto in view of the settlement. She further submitted that she has studied till standard XII and has understood the implications of the statement made by her and that she has so stated voluntarily of her own accord without any duress, pressure or coercion from any quarter.

There is no opposition on behalf of the State to the prayer made

by the petitioners seeking quashing of the FIR in question in view of the settlement and the deposition of the respondent No.2.

Inter alia, in view of the statement made by the respondent No.2 there appears no reason to disbelieve the statement made by the respondent No.2 that she has arrived at a settlement with the petitioner voluntarily of her own accord without any duress, pressure or coercion from any quarter.

In as much as the FIR has emanated from a matrimonial discord which has since been reconciled between the petitioner No.1 and the respondent No.2, it is considered appropriate to put a quietus to the litigation and disputes between the parties for maintenance of peace and harmony between them as also for the well being of the respondent no.2, the FIR No. 586/15 PS Kanjhawala registered under Sections 498A/406/34 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom against the petitioners are thus quashed.

The petition is disposed of.

ANU MALHOTRA, J

FEBRUARY 06, 2020/SV

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CW-1 SI SUNIL KUMAR PS KANJHAWALA

I identify the petitioners No.1 to 4, namely, Tanuj, Smt. Kamla, Amarjeet and Ritu, as being the accused arrayed in FIR No. 586/15 PS Kanjhawala registered under Sections 498A/406/34 of the Indian Penal Code, 1860 present in the Court today. I also identify the respondent No.2 as being the complainant of the said FIR.

ANU MALHOTRA, J.

RO & AC

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CW-2 MS.PARAMJIT KAUR W/O TANUJ D/O LATE PRITAM SINGH AGED 26 YEARS R/O A-79, ANANDPUR DHAM, KARALA DELHI.

On S.A.

I have brought my original proof of identity, i.e., Aadhar Card. The copy of the same is EX.CW-2/A.

My affidavit in support of the averments made in the petitions bears my signatures at points A and B thereon on Ex.CW-2/B. The Memorandum of understanding dated 10.8.2019 arrived between me and the petitioner No.1 bears my signatures thereon as visible at point A on EX.CW-2/C. I have signed these documents voluntarily of my own accord without any duress, pressure or coercion from any quarter. Pursuant to the settlement arrived at between me and the petitioner No.1, I have been living with the petitioner No.1 since August, 2019. The petitioners No.2 to 4 also reside at the same address where I live with the petitioner No.1 along with my two minor children aged 6 years and 4 years without any problems now for the last five months and I want to continue to live with the petitioner No.1. In view thereof, I do not oppose the prayer made by the petitioners seeking quashing of the FIR No. 586/15 PS Kanjhawala registered under Sections 498A/406/34 of the Indian Penal Code, 1860, nor do I want them to be punished in relation thereto.

I have studied till standard XII and have understood the implications of the statement made by me. I have stated so voluntarily of my own accord

without any duress, pressure or coercion from any quarter.

ANU MALHOTRA, J.

RO & AC
06.02.2020