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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1148/2019
RAJ KUMAR DHINGRA & ORS Petitioners
Through: Mr. Dalvinder Singh, Adv.

versus

THE STATE ANR Respondents
Through: Ms. Meenakshi Dahiya, APP for State
with SI Ravi Kumar, PS Krishna
Nagar.
R-2 in person.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **28.01.2020**

Vide the present petition, the petitioners seek quashing of the FIR No.176/2016, PS Krishna Nagar registered under Sections 323/341/354A/354D/506/34 of the Indian Penal Code, 1860 submitting to the effect that the petitioners are related to the respondent no.2 and that the petitioner nos.1 & 2 being her brother-in-laws and the petitioner no.3 being her spouse and that a settlement has been arrived at between the parties

The Investigating Officer of the case has identified the petitioners present today in Court as being the accused arrayed in the FIR in question and has also identified respondent no.2 present in Court today as being the complainant of the said FIR. The Investigating Officer has also stated that the parents-in-law of the respondent no.2 were named in the FIR but were not charge sheeted.

The respondent no.2 has produced her original Aadhar Card, copy of which is on the record as Ex.CW/B. The respondent no.2 in her examination

on oath by the Court has affirmed having signed her affidavit in response to the petition dated 06.09.2019 placed on record as Ex.CW2/A to the effect that she does not want the continuation of the proceedings qua the FIR in question and also affirmed having signed her statement under Section 164 of the Cr.PC, 1973 dated 23.08.2016 before the learned MM concerned during the course of the investigation in FIR No.176/2016 voluntarily of her own accord without any duress, coercion or pressure from any quarter.

The respondent no.2 reiterates the contents of the statement under Section 164 of the Cr.PC, 1973 made by her to the effect that the issues between her and the petitioners have been sorted out and had been sorted out even as on the date 23.08.2016. She further stated that there are no problems now between her and the petitioners and she lives in the same premises i.e. H.No.6/24, Krishna Nagar, Delhi as per memo of parties also from 2016 onwards with her minor child born of the wedlock between her and the petitioner no.3.

In as much as the matter has been sorted out between them, she does not seek the continuation of the proceedings qua the FIR in question nor does she want the petitioners to be punished in relation thereto and that she has so stated voluntarily.

On behalf of the State, there is no opposition to the prayer made by the petitioners seeking the quashing of the FIR in question in view of the settlement arrived at between the parties.

The respondent no.2 has further stated that she is a graduate and stated that she has previously been teaching and understood the implications of the statement made by her. Taking into account the statement of the respondent no.2 that all the problems between her and the petitioners had

been sorted out even on the date 23.08.2016 when she made her statement under Section 164 of the Cr.PC, 1973 during the course of the investigation qua the FIR in question and there have been no problems thereafter and she is living with the petitioners with her minor child, in view thereof and in view of the non-opposition on behalf of the State, for maintenance of peace and harmony between the respondent no.2 and the petitioners and for the well being of the respondent no.2 as well as the minor child, it is considered appropriate to put a quietus to the litigation qua the FIR No.176/2016, PS Krishna Nagar registered under Sections 323/341/354A/354D/506/34 of the Indian Penal Code, 1860 against the petitioners, which is thus quashed.

The petition is disposed of.

ANU MALHOTRA, J

JANUARY 28, 2020

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IN THE HIGH COURT OF DELHI: NEW DELHI

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CRL.M.C. 1148/2019

RAJ KUMAR DHINGRA & ORS Vs. THE STATE ANR

28.01.2020

CW-1 SI Ravi Kumar, PS Krishna Nagar.

ON S.A.

I have been deputed by the SHO concerned. I identify the petitioner no.1 Mr. Raj Kumar Dhingra, petitioner no.2 Mr. Hemant Dhingra and petitioner no.3 Mr. Jitender Dhingra as being the accused arrayed in the FIR No.176/2016, PS Krishna Nagar registered under Sections 323/341/354A/354D/506/34 of the Indian Penal Code, 1860. I identify the respondent no.2 Mrs. Anu Dhingra as being the complainant of the said FIR. The parents-in-law of the respondent no.2 are not charge sheeted though named in the FIR.

RO & AC
28.01.2020

ANU MALHOTRA, J

IN THE HIGH COURT OF DELHI: NEW DELHI

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**CW-2 Mrs. Anu Dhingra, w/o Mr. Jitender Dhingra, aged 32 years, r/o H.No.6/24, Krishna Nagar, Delhi.
ON S.A.**

I have brought my original Aadhar Card, copy of which on the record as Ex.CW2/B. My affidavit in response to the petition bears my signatures thereon at points A & B on Ex.CW2/A. The statement under Section 164 of the Cr.PC, 1973 dated 23.08.2016 also bears my signatures thereon as recorded during the course of proceedings in FIR No.176/2016, PS Krishna Nagar registered under Sections 323/341/354A/354D/506/34 of the Indian Penal Code, 1860, copy thereof has been filed by the State. I have signed these documents voluntarily of my own accord without any duress, coercion or pressure from any quarter.

I have read my statement dated 23.08.2016 recorded under Section 164 of the Cr.PC, 1973 and reiterate that I made the same voluntarily in as much as there are no problems between me and the petitioners after the registration of the FIR, which was registered as a consequence of misunderstanding, which has since been sorted out and I am living with the petitioners along with my minor child aged 7 years born of the wedlock between me and the petitioner no.3, I have no opposition to the prayer made by the petitioners seeking quashing of the FIR No.176/2016, PS Krishna Nagar registered under Sections 323/341/354A/354D/506/34 of the Indian Penal Code, 1860 nor do I want the petitioners to be punished in relation

thereto.

I am a graduate and I used to teach.

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

RO & AC
28.01.2020

ANU MALHOTRA, J