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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1404/2020 & CRL.M.A. 5405/2020**
PRAVEEN KUMAR & ANR Petitioners
Through: Counsel for petitioners with
petitioners

versus

STATE (GNCT DELHI) & ANR Respondents
Through: Mr. Kamal Kr. Ghei, APP for State
with SI Anuj Kumar, PS North
Rohini.
Mr. Rajat Sharma, Adv. for R-2.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
% **13.03.2020**

Vide the present petition, the petitioners seek quashing of the FIR No.956/2015, PS North Rohini registered under Sections 498A/406/34 of the Indian Penal Code, 1860 and Section 4 of the Dowry Prohibition Act submitting to the effect that a settlement has been arrived at between the petitioner no.1 and the respondent no.2 pursuant to which, the petitioner no.1 and the respondent no.2 have sorted out their disputes and are now living together w.e.f. 31.01.2020 and no useful purpose would be served by the continuation of the proceedings in relation to the FIR in question.

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 stated that the other accused Jai Bhan was discharged vide order dated 21.12.2019 of the learned MM (MC), North-West, Rohini and the other two accused persons named Promila and Kusum were not charge

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sheeted and were arrayed in column no.12. The Investigating Officer has also identified respondent no.2 present in Court today as being the complainant of the said FIR.

The respondent no.2 has produced her original proof of identity, copy of which is on the record as Ex.CW2/A. The respondent no.2 in her examination on oath by the Court has affirmed having signed her affidavit Ex.CW2/B and the settlement arrived at the Delhi Mediation Centre, Rohini Courts, New Delhi dated 30.01.2020 voluntarily of her own accord without any duress, coercion or pressure from any quarter.

She has further stated that in terms of the settlement arrived at between her and the petitioners, she and her two children are living with the petitioner no.1 w.e.f. 31.01.2020 without any problems now and she wants to continue to live with the petitioner no.1.

She has further stated that in terms of the settlement arrived at between her and the petitioners she does not oppose the prayer made by the petitioners seeking the quashing of the FIR No.956/2015, PS North Rohini registered under Sections 498A/406/34 of the Indian Penal Code, 1860 and Section 4 of the Dowry Prohibition Act nor does she want the petitioners to be punished in relation thereto.

She has further stated that she is a graduate and she teaches in a Government School and that she has made her statement voluntarily after understanding the implications thereof.

On behalf of the State, there is no opposition to the prayer made by the petitioners seeking quashing of the FIR in question in view of the settlement arrived at between the petitioners and the respondent no.2 and the deposition of the respondent no.2.

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The respondent no.2 is apparently well educated and states that she has understood the implications of the statement made by her. 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 in as much as the FIR in question has emanated from a matrimonial discord which has since been resolved vide a settlement between the parties, 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. In view thereof, the FIR No.956/2015, PS North Rohini registered under Sections 498A/406/34 of the Indian Penal Code, 1860 and Section 4 of the Dowry Prohibition Act and all consequential proceedings emanating therefrom against the petitioners are quashed.

The petition is disposed of.

ANU MALHOTRA, J

MARCH 13, 2020

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IN THE HIGH COURT OF DELHI: NEW DELHI

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CRL.M.C. 1404/2020

**PRAVEEN KUMAR & ANR Vs. STATE (GNCT DELHI) & ANR
13.03.2020**

CW-1 SI Anuj Kumar, PS North Rohini.

ON S.A.

I identify the petitioner no.1 Mr. Praveen Kumar and petitioner no.2 Smt. Darshana as being the accused arrayed in the FIR No.956/2015, PS North Rohini registered under Sections 498A/406/34 of the Indian Penal Code, 1860 and Section 4 of the Dowry Prohibition Act. The other accused Jai Bhan was discharged vide order dated 21.12.2019 of the learned MM (MC), North-West, Rohini. The other two accused persons named Promila and Kusum were not charge sheeted and were arrayed in column no.12. I identify the respondent no.2 Mrs. Suman as being the complainant of the said FIR.

**RO & AC
13.03.2020**

ANU MALHOTRA, J

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CRL.M.C. 1404/2020

PRAVEEN KUMAR & ANR Vs. STATE (GNCT DELHI) & ANR

13.03.2020

CW-2 Mrs. Suman, w/o Mr. Praveen Kumar, d/o Mr. Mahender Pal, aged 40 years, r/o B6/5 & 6, 1st Floor, Sector-7, Rohini, Delhi.

I have brought my original proof of identity, copy of which is on the record as Ex.CW2/A. My affidavit in support of the averments made in the petition bears my signatures thereon at points A & B thereon on Ex.CW2/B. The settlement arrived at between me and the petitioner no.1 at the Delhi Mediation Centre, Rohini Courts, New Delhi dated 30.01.2020 bears my signatures on each page thereof as visible at point A thereon on Ex.CW2/C. I have signed all these documents voluntarily of my own accord without any duress, coercion or pressure from any quarter.

Pursuant to the settlement arrived at between me and the petitioner no.1 Ex.CW2/C, I am living with the petitioner no.1, my spouse along with my two children Prachi and Devansh without any problems now and I want to continue to live with the petitioner no.1 and I thus do not oppose the prayer made by the petitioners seeking the quashing of the FIR No.956/2015, PS North Rohini registered under Sections 498A/406/34 of the Indian Penal Code, 1860 and Section 4 of the Dowry Prohibition Act nor do I want the petitioners to be punished in relation thereto.

I am a graduate and I teach in a Government School.

I have made my statement voluntarily of my own accord without any

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duress, coercion or pressure from any quarter after understanding the implications thereof.

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