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

+ **CRL.M.C. 1730/2019**

SUNIL KUMAR @ KAKE & ANR Petitioners

Through: Petitioners in person with Ms.
Meenakshi, Advocate.

versus

STATE (NCT OF DELHI) & ANR Respondents

Through: Mr. Kewal Singh Ahuja, APP for
State with HC Amit Kumar, PS
Mehrauli.

R-2 in person with Ms. Abhilasha
Duggal, Advocate for R-2.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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10.01.2020

Vide the present petition, the petitioners seek the quashing of the FIR No.3161/2015, PS Mehrauli registered under Sections 323/354/506/509/34 of the Indian Penal Code, 1860 lodged on the complaint of the respondent no.2 submitting to the effect that a settlement has been arrived at between the parties as they were related to each other.

Vide order dated 31.10.2018 in view of the said submission that the parties were related to each other, the State was called upon to submit the status report in relation thereto with also directions to the respondent no.2 to submit her affidavit in relation thereto. The status report that has been submitted by the State under the signatures of

Inspector Ved Parkash, SHO, PS Mehrauli has stated to the effect that the petitioners and the complainant are related to each other as also put forth by the respondent no.2 that the petitioner no.1 Ajeet Singh being her brother-in-law (Devar) and petitioner no.2 being her sister-in-law as also borne out through the said status report. It has been stated that the parties are maintaining cordial relations with each other for the last 3 ½ years and are living peacefully and that they live opposite to each other and do not want to pursue the proceedings further and to maintain good relations and to similar effect is the affidavit dated 07.11.2019 i.e. Ex.CW2/D of the respondent no.2.

The respondent no.2 in her deposition on oath has also testified to similar effect stating that she has arrived at the settlement with the petitioners voluntarily of her own accord and that she has signed the compromise deed dated 20.02.2019 Ex.CW2/B voluntarily of her own accord without any duress, coercion or pressure from any quarter and that there are now no problems between her and the petitioners and that thus, she does not oppose the prayer made by the petitioners seeking the quashing of the FIR No.3161/2015, PS Mehrauli registered under Sections 323/354/506/509/34 of the Indian Penal Code, 1860 nor does she want them to be punished in relation thereto. In reply to a specific Court query, she has submitted that she has studied till Standard X and that she is a house wife and has made her statement after understanding the implications of the statement made by her.

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, in as much as, the petitioners and the respondent no.2 are related to each other and as the respondent no.2 states that after the registration of the FIR, there has been no problems between her and the petitioners and that the matter between them has been settled.

In these circumstances, for maintenance of peace and harmony between the parties, it is considered appropriate to put a quietus to the litigation between the parties and thus, the FIR No.3161/2015, PS Mehrauli registered under Sections 323/354/506/509/34 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom against the petitioner no.1 Sunil Kumar @ Kake and petitioner no.2 Ritu are thus quashed.

The petition is disposed of.

Copy of the order be given Dasti under the signatures of the Court Master.

ANU MALHOTRA, J

JANUARY 10, 2020

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ITEM No.13

CRL.M.C. 1730/2019

SUNIL KUMAR @ KAKE AND ANR. VS. STATE & ANR.

10.01.2020

CW-1 HC Amit Kumar, PS Mehrauli.

ON S.A.

I identify the petitioner no.1 Sunil Kumar @ Kake and petitioner no.2 Ritu as being the accused arrayed in the FIR No.3161/2015, PS Mehrauli registered under Sections 323/354/506/509/34 of the Indian Penal Code, 1860 and I also identify the respondent no.2 Ms. Kavita Rani as being the complainant of the said FIR.

RO & AC

10.01.2020

ANU MALHOTRA, J.

ITEM No.13

CRL.M.C. 1730/2019

SUNIL KUMAR @ KAKE AND ANR. VS. STATE & ANR.

10.01.2020

CW-2 Ms. Kavita Rani, w/o Sh. Ajeet Singh, age 48 years, r/o H.No.91/B, Ward No.2, Mehrauli, New Delhi.

ON S.A.

I have brought my original proof of identity, photocopy of which is on the record as Ex.CW2/A. The compromise deed dated 20.02.2019 bears my signatures as visible at point A on Ex.CW2/B. My affidavit in support response to the petition bears my signatures at points A & B on Ex.CW2/C and my affidavit dated 07.11.2019 also bears my signatures at points A & B on Ex.CW2/D, I have signed all these documents voluntarily of my own accord without any duress, coercion or pressure from any quarter.

The petitioner no.1 Sunil Kumar is my brother-in-law (Devar) and the petitioner no.2 Ms.Ritu is his wife i.e. my sister-in-law. There are now no problems between me and the petitioners since the year 2015 and we belong to the same family and in view of the settlement that has been arrived at between me and the petitioners, I thus, do not oppose the prayer made by the petitioners seeking the quashing of the FIR No.3161/2015, PS Mehrauli registered under Sections 323/354/506/509/34 of the Indian Penal Code, 1860 nor do I want them to be punished in relation thereto.

I have studied till Standard X and I am a house wife.

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

10.01.2020

ANU MALHOTRA, J.