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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2471/2019**

SATISH KUMAR Petitioner
Through: Mr.Deepak Sharma, Advocate

versus

THE STATE & ANR Respondents
Through: Ms.Meenakshi Dahiya, APP for State
With SI Subhash PS Vasant Kunj
(South)
Respondent No.2 in person.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
% **20.01.2020**

Vide the present petition, the petitioner seeks quashing of the FIR No. 435/2017, PS Vasant Kunj (South) registered under Sections 354/509 of the Indian Penal Code, 1860 submitting to the effect that the petitioner and the respondent No.2 are closely related, the petitioner being the elder brother-in-law (Jeth) of the respondent No.2 and that a settlement has been arrived at between the parties at the Delhi Mediation Centre at the Tis Hazari Courts during the course of proceedings inter alia in relation to CS No. 611790/16 a suit for possession, damages and injunction titled ***Rattan Kaur V. Anand Kumar***, of which Smt.Rattan Kaur is the mother of the petitioner. It has been submitted thus on behalf of the petitioner that no useful purpose would be served by the continuation of the proceedings in relation to the FIR in question.

The status report has been submitted by the State.

The Investigating Officer of the case is present in Court and has identified the petitioner as being the accused present in the Court today in relation to the FIR in question. The Investigating Officer has also identified the respondent No.2 as being the complainant of the said FIR.

On being examined on oath by the Court, the respondent No.2 has produced the copy of the proof of her identity which is Ex.CW-2/A and has testified to having signed her affidavit Ex.CW-2/B and the settlement agreement dated 22.2.2019 which is EX.CW-2/C voluntarily of her own accord without any duress, pressure or coercion from any quarter. She further submitted that at the request of the elders in their family and as she wants the family ties to remain intact and for the well being of her children, she does not oppose the prayer made by the petitioner seeking quashing of the FIR in question nor does she want the petitioner to be punished in relation thereto. The respondent No.2 is well educated having done M.A. B.Ed and states that she has understood the implications of the statement made by her and she has made her statement voluntarily of her own accord without any duress, pressure or coercion from any quarter.

On behalf of the State there is no opposition to the prayer made by the petitioner seeking quashing of the FIR in question.

The petitioner in reply to a specific Court query has apologized to the respondent No.2 qua the incident qua the FIR No. 435/2017, PS Vasant Kunj (South) registered under Sections 354/509 of the

Indian Penal Code, 1860.

In the circumstances, for maintenance of peace and harmony between the petitioner and the respondent No.2, they being part of the same family, as testified by the respondent No.2 and the petitioner as well, it is considered appropriate to put a quietus to the litigation for maintenance of peace and harmony between the parties, the proceedings in relation to the FIR No. 435/2017, PS Vasant Kunj (South) registered under Sections 354/509 of the Indian Penal Code, 1860 against the petitioner are thus quashed.

The petition is disposed of.

ANU MALHOTRA, J

JANUARY 20, 2020/SV

Item No. 12

CRL.M.C.2471/2019

SATISH KUMAR V. STATE & ANR.

**CW-1 SI SUBHASH POLICE STATION VASANT KUNJ (SOUTH)
ON S.A.**

I identify the petitioner as being the sole accused arrayed in FIR No. 435/2017, PS Vasant Kunj (South) registered under Sections 354/509 of the Indian Penal Code, 1860 present in the Court today. I also identify the respondent No.2 present in the Court today as being the complainant of the said FIR.

ANU MALHOTRA, J.

**RO & AC
20.1.2020**

Item No. 12

CRL.M.C.2471/2019

SATISH KUMAR V. STATE & ANR

**CW-2 MS.ANITA HANS W/O SH.ANAND KUMAR R/O H. NO. 19,
LORD BUDDHA APT.NEAR PASCHIM VIHAR, NEW DELHI AGED
48 YEARS
ON S.A.**

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

My affidavit in support of the petition bears my signatures thereon at points A & B on Ex.CW-2B. The copy of mediation settlement dated 22.2.2019 bears my signatures thereon on each page 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. In terms of the settlement arrived at between me and the petitioner in as much as due to the request of the elders in the family and the petitioner being related to me as being my brother-in-law (Jeth) for the welfare of the family and children I do not oppose the quashing of the FIR No. 435/2017, PS Vasant Kunj (South) registered under Sections 354/509 of the Indian Penal Code, 1860 nor do I want the petitioner to be punished in relation thereto in view of the settlement arrived at between me and the petitioner.

I have done M.A. B.Ed and have understood the implications of making any statement. I have made my statement voluntarily of my own accord without any duress, pressure or coercion from any quarter.

ANU MALHOTRA, J.

**RO & AC
20.1.2020**

Item No. 12

CRL.M.C.2471/2019

SATISH KUMAR V. STATE & ANR

**CW-3 MR.SATISH KUMAR S/O SAUDAGAR MAL R/O 8060,
POCKET D-8, VASANT KUNJ, NEW DELHI AGED 48 YEARS
ON S.A.**

I have since arrived at a settlement with the respondent No.2. The respondent is the wife of my brother named Anand Kumar. I apologise to the respondent No. 2 qua the incident qua the FIR 435/2017, PS Vasant Kunj (South) registered under Sections 354/509 of the Indian Penal Code, 1860.

ANU MALHOTRA, J.

RO & AC

20.1.2020