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

+ CRL.M.C. 1723/2020

SALAUDDIN QURESHI & ORS.

..... Applicant

Through: Petitioner no.1 in person with Mr.Pradeep
Mishra, Advocate.

Versus

STATE & ANR.

.....Respondent

Through: Mr. Ashok Kr. Garg, APP for State.
R-2 in person.

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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18.09.2020

(physical hearing)

The petitioners vide the present petition seek the quashing of the FIR No.439/2018, PS Sarai Rohilla under Sections 498A/406/323/34 of the Indian Penal Code, 1860 submitting to the effect that a settlement has been arrived at between the parties and that the petitioner no.1 and the respondent no.2 are now living together for the last 1 ½ years without any problem.

Vide order dated 31.08.2020, the State was directed to verify the factum of the respondent no.2 living with the petitioners. The status report that has been submitted by the State verified the factum of the petitioner no.1 and the respondent no.2 living together for the last 1 ½ years as learnt from them as also learnt from their neighbours.

The respondent no.2 in her deposition on oath too has affirmed the said aspect and has stated that she is living with the petitioner no.1 for the

last 1 ½ years peacefully without any problems now and has further stated that she has two minor children born of the wedlock between the petitioner no.1 and the respondent no.2 who are aged 4 years and 2 ½ years respectively. She has further testified to the effect that she does not oppose the prayer made by the petitioner nos. 1 to 13 i.e. petitioner no.1 Salauddin Qureshi, petitioner no.2 Mursalim, petitioner no.3 Jamal, petitioner no.4 Rahisuddin, petitioner no.5 Salman @ Moinuddin, petitioner no.6 Smt.Gulshan Naaz, petitioner no.7 Smt. Nasreen, petitioner no.8 Noori @ Praveen, petitioner no.9 Shabnam, petitioner no.10 Heena, petitioner no.11 Sirajuddin Qureshi, petitioner no.12 Saba Qureshi and petitioner no.13 Chiraguddin seeking the quashing of the FIR No.439/2018, PS Sarai Rohilla under Sections 498A/406/323/34 of the Indian Penal Code, 1860 nor does she want them to be punished in relation thereto.

In view of the deposition made by the respondent no.2, there appears no reason to disbelieve that she has arrived at a settlement with the petitioners voluntarily of her own accord without any duress, coercion or pressure from any quarter and that she has understood the implications of the statement 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 and the deposition made by the respondent no.2.

Taking the same into account, in view of the settlement arrived at between the petitioner no.1 and the respondent no.2 and the non-opposition on behalf of the State, for maintenance of peace and harmony between the petitioner no.1 and the respondent no.2, it is considered appropriate to put a quietus to the litigation between the parties qua the FIR in question. Thus, the FIR No.439/2018, PS Sarai Rohilla under

Sections 498A/406/323/34 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom against the petitioner nos. 1 to 13 i.e. petitioner no.1 Salauddin Qureshi, petitioner no.2 Mursalim, petitioner no.3 Jamal, petitioner no.4 Rahisuddin, petitioner no.5 Salman @ Moinuddin, petitioner no.6 Smt.Gulshan Naaz, petitioner no.7 Smt. Nasreen, petitioner no.8 Noori @ Praveen, petitioner no.9 Shabnam, petitioner no.10 Heena, petitioner no.11 Sirajuddin Qureshi, petitioner no.12 Saba Qureshi and petitioner no.13 Chiraguddin are thus quashed.

The petition is disposed of.

ANU MALHOTRA, J

SEPTEMBER 18, 2020

'neha chopra'

IN THE HIGH COURT OF DELHI: NEW DELHI

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CW-1 ASI Bharat Rattan, PS Sarai Rohilla.

ON S.A.

I identify the petitioner no.1 Salauddin as being the husband of the respondent no.2 as being one of the accused arrayed in the FIR No.439/2018, PS Sarai Rohilla under Sections 498A/406/323/34 of the Indian Penal Code, 1860 and I also identify the respondent no.2 Ms.Farha as being the complainant of the said FIR.

It has been verified that the petitioner no.1 and the respondent no.2 are living together.

RO & AC
18.09.2020

ANU MALHOTRA, J

IN THE HIGH COURT OF DELHI: NEW DELHI

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18.09.2020

CW-2 Ms.Farha, d/o Sh.Mehsar Ali, aged 29 years, r/o A-22/170, Inderlok, Delhi.

ON S.A.

My affidavit annexed to the petition at pages 65 & 66 bears my signatures thereon which I have signed voluntarily of my own accord without any duress, coercion or pressure from any quarter.

I am living with the petitioner no.1 peacefully for the last 1 ½ years without any problems now and also with the petitioner nos.2 to 13. I have two children born of the wedlock between me and the petitioner no.1 who are aged 4 years and 2 ½ years respectively.

I do not oppose the prayer made by the petitioner nos. 1 to 13 i.e. petitioner no.1 Salauddin Qureshi, petitioner no.2 Mursalim, petitioner no.3 Jamal, petitioner no.4 Rahisuddin, petitioner no.5 Salman @ Moinuddin, petitioner no.6 Smt.Gulshan Naaz, petitioner no.7 Smt. Nasreen, petitioner no.8 Noori @ Praveen, petitioner no.9 Shabnam, petitioner no.10 Heena, petitioner no.11 Sirajuddin Qureshi, petitioner no.12 Saba Qureshi and petitioner no.13 Chiraguddin seeking the quashing of the FIR No.439/2018, PS Sarai Rohilla under Sections 498A/406/323/34 of the Indian Penal Code, 1860 nor do I want the petitioners to be punished in relation thereto.

I have studied till Standard 10th.

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

18.09.2020

ANU MALHOTRA, J

Signature Not Verified

Digitally Signed
By: SUMIT GHAI
Signing Date: 19.09.2020
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