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

+ CRL.M.C. 2809/2019

SATTAR & ORS

..... Petitioner

Through: Mr. Prakash Priyadarshi, Adv.

versus

STATE OF NCT OF DELHI & ORS

..... Respondents

Through: Ms. Meenakshi Dahiya, APP for  
State with SI Satish Singh, PS Mayur  
Vihar.

R-2 in person.

**CORAM:**

**HON'BLE MS. JUSTICE ANU MALHOTRA**

**ORDER**

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**23.01.2020**

Vide the present petition, the petitioners seek quashing of the FIR No.238/2012, PS Mayur Vihar registered under Sections 308/323/34 of the Indian Penal Code, 1860 submitting to the effect that a settlement has been arrived at between the parties 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 also identified respondent no.2, 3 & 4 present in Court today as being the injured persons, of whom Md. Iliyas was the complainant of the said FIR. He has also stated that the respondent no.2 has sustained grievous injuries. Md. Iliyas and Smt. Mohsina arrayed as the respondent nos.2 & 3 are the father and mother of Ms. Reshma, who is the wife of the petitioner no.4 Mr. Taj Mohammad.

The respondent nos.2, 3 & 4 have produced their original proofs of

identity, copies of which are on the record as Ex.CW2/A, Ex.CW3/A, Ex.CW4/A. The respondent nos.2 & 4 in their examination on oath by the Court have affirmed having signed their affidavits Ex.CW2/B, & Ex.CW4/B respectively and the respondent no.3 has testified to having put her thumb impression on her affidavit Ex.CW3/B voluntarily of their own accord without any duress, coercion or pressure from any quarter and they have also submitted to the effect that they have so submitted their affidavit qua settlement with the petitioner nos.1 to 4 who are relative of them in the manner that the petitioner no.4 is the son-in-law of the respondent nos.2 & 3 and the brother-in-law of the respondent no.4 in as much as the daughter of the respondent nos.2 & 3 Reshma who is the sister of the respondent no.4 is the spouse of the petitioner no.4.

The respondent nos.2, 3 & 4 also stated that Reshma, the spouse of the petitioner no.4 is now living peacefully at her matrimonial home with the petitioner no.4 and in the circumstances, they do not oppose the prayer made by the petitioners seeking quashing of the FIR in question nor do they want the petitioners to be punished in relation thereto.

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 the circumstances.

In as much as the averments made through the FIR indicate that there was a matrimonial dispute between the petitioner no.4 and the daughter of the respondent nos.2 & 3 who is the sister of the respondent no.4, which as testified by the respondent nos.2, 3 & 4 has now since been amicably settled with the daughter of the respondent no.2 & 3 who is the sister of the respondent no.4 being living peacefully with the petitioner no.4.

It was considered essential to examine Taj Mohammad, the petitioner no.4, the spouse of the daughter of the respondent nos.2 & 3 and the sister of the respondent no.4 who too affirm that he and his spouse are living peacefully without any problems now and that he has come for resolution of the dispute between his family members and his in-laws.

In the circumstances, with the respondent no.3 having testified to the effect that there have been no problems after registration of FIR, which was registered in the year 2012 about 8 years ago, for maintenance of peace and harmony between the petitioners and the well being of the daughter of the respondent nos.2 & 3 and the sister of the respondent no.4, it is considered appropriate to put a quietus to the litigation and disputes between the parties for maintenance of peace and harmony between them and thus the FIR No.238/2012, PS Mayur Vihar registered under Sections 308/323/34 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom against the petitioners are quashed.

The petition is disposed of.

**ANU MALHOTRA, J**

**JANUARY 23, 2020**

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

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**CRL.M.C. 2809/2019**

**SATTAR & ORS Vs. STATE OF NCT OF DELHI & ORS**

**23.01.2020**

**CW-1 SI Satish, PS Mayur Vihar.**

**ON S.A.**

I identify the petitioner no.1 Mr. Sattar and petitioner no.2 Mrs. Praveen, petitioner no.3 Mr. Imran and petitioner no.4 Mr. Taj Mohammad @ Bhura as being the accused arrayed in the FIR No.238/2012, PS Mayur Vihar registered under Sections 308/323/34 of the Indian Penal Code, 1860. I identify the respondent no.2 Md. Ilyas, respondent no.3 Smt. Mohsina and respondent no.4 Mr. Ikrar as being the injured persons, of whom Md. Ilyas was the complainant of the said FIR. The respondent no.2 has sustained grievous injuries. Md. Ilyas and Smt. Mohsina arrayed as the respondent nos.2 & 3 are the father and mother of Ms. Reshma, who is the wife of the petitioner no.4 Mr. Taj Mohammad.

**RO & AC**

**23.01.2020**

**ANU MALHOTRA, J**

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

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**CRL.M.C. 2809/2019**

**SATTAR & ORS Vs. STATE OF NCT OF DELHI & ORS**

**23.01.2020**

**CW-2 Md. Iliyas, s/o Mr. Yasin, aged 60 years, r/o Raghbir Nagar, Delhi and also r/o B-121, Shivaji Enclave, DDA Flat, Rajouri Garden, New Delhi.**

I have brought my original proof of identity, copy of which is on the record as Ex.CW2/A. My affidavit in response to the petition bears my signatures thereon at points A & B thereon on Ex.CW2/B, which I have signed for a settlement with the petitioner nos.1 to 4 voluntarily of my own accord without any duress, coercion or pressure from any quarter.

In as much as my daughter Reshma who is married to the petitioner no.4 is living peacefully at her matrimonial home now, I have no opposition to the prayer made by the petitioners seeking quashing of the FIR No.238/2012, PS Mayur Vihar registered under Sections 308/323/34 of the Indian Penal Code, 1860 nor do I want the petitioners to be punished in relation thereto.

I am illiterate but I can sign and I am a barber.

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**  
**23.01.2020**

**ANU MALHOTRA, J**

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

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**CRL.M.C. 2809/2019**

**SATTAR & ORS Vs. STATE OF NCT OF DELHI & ORS**

**23.01.2020**

**CW-3 Smt. Mohsina, w/o Md. Iliyas, aged 53 years, r/o Raghbir Nagar, Delhi and also r/o B-121, Shivaji Enclave, DDA Flat, Rajouri Garden, New Delhi.**

**ON S.A.**

I have brought my original proof of identity, copy of which is on the record as Ex.CW3/A, which gives my name as Mausima. My affidavit in response to the petition bears my thumb impression thereon at points A & B thereon on Ex.CW3/B, which I have signed for a settlement with the petitioner nos.1 to 4 voluntarily of my own accord without any duress, coercion or pressure from any quarter.

The petitioner nos.1 to 3 are the in-laws of my daughter Reshma married to the petitioner no.4.

In as much as my daughter Reshma who is married to the petitioner no.4 is living peacefully at her matrimonial home now and after the registration of the FIR, there have been no problems between the petitioners and me and the respondent nos.2 & 4 nor with Reshma, I have no opposition to the prayer made by the petitioners seeking quashing of the FIR No.238/2012, PS Mayur Vihar registered under Sections 308/323/34 of the Indian Penal Code, 1860 nor do I want the petitioners to be punished in relation thereto.

I am illiterate.

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**  
**23.01.2020**

**ANU MALHOTRA, J**

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

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**CRL.M.C. 2809/2019**

**SATTAR & ORS Vs. STATE OF NCT OF DELHI & ORS**

**23.01.2020**

**CW-4 Mr. Ikrar, s/o Md. Iliyas, aged 26 years, r/o Raghbir Nagar, Delhi and also r/o B-121, Shivaji Enclave, DDA Flat, Rajouri Garden, New Delhi.**

**ON S.A.**

I have brought my original proof of identity, copy of which is on the record as Ex.CW4/A. My affidavit in response to the petition bears my signatures thereon at points A & B thereon on Ex.CW4/B, which I have signed for a settlement with the petitioner nos.1 to 4 voluntarily of my own accord without any duress, coercion or pressure from any quarter.

The petitioner nos.1 to 3 are the in-laws of my sister Reshma married to the petitioner no.4.

In as much as my sister Reshma who is married to the petitioner no.4 is living peacefully at her matrimonial home now and after the registration of the FIR, there have been no problems between the petitioners and me and the respondent nos.2 & 3 nor with Reshma, I have no opposition to the prayer made by the petitioners seeking quashing of the FIR No.238/2012, PS Mayur Vihar registered under Sections 308/323/34 of the Indian Penal Code, 1860 nor do I want the petitioners to be punished in relation thereto.

I have studied upto standard 10<sup>th</sup> and I run a salon.

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**  
**23.01.2020**

**ANU MALHOTRA, J**

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

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**CRL.M.C. 2809/2019**

**SATTAR & ORS Vs. STATE OF NCT OF DELHI & ORS**

**23.01.2020**

**CW-5 Mr. Taj Mohammad @ Bhura, s/o Mr. Sammi, aged 28 years, r/o D-523, 25 Foota Road, Jaitpur Extn., Part-2, Delhi.**

I have brought my original proof of identity, copy of which is on the record as Ex.CW5/A. My affidavit in response to the petition bears my signatures thereon at points A & B thereon on Ex.CW5/B, which I have signed for a settlement with the respondent nos.2 to 4 voluntarily of my own accord without any duress, coercion or pressure from any quarter.

There are no problems now between me and my wife Reshma, daughter of the respondent nos.2 & 3 and sister of the respondent no.4 nor between my wife and my family members. There have been no problems after the registration of the FIR in question.

I have filed the present petition for a settlement with my in-laws in relation to dispute qua which the FIR No.238/2012, PS Mayur Vihar registered under Sections 308/323/34 of the Indian Penal Code, 1860 was registered.

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**

**23.01.2020**

**ANU MALHOTRA, J**