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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 6605/2019 & CRL.M.A. 43182/2019
SAMASUL HAK KHAN & ORS Petitioners
Through: Mr. CM Sangwan, Adv.

versus

THE STATE & ANR Respondents
Through: Mr. Ashok Kumar Garg, APP for
State with SI Sunil Kumar, Vigilance
Branch/RD.
Mr. Amit Gaur, Adv. for R-2 with R-
2.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
% **29.01.2020**
CRL.M.A. 43182/2019 (Exemption)

Exemption allowed, subject to just exceptions.

CRL.M.C. 6605/2019

Vide the present petition, the petitioners seek quashing of the FIR No.485/2015, PS Narela registered under Sections 498A/406/34 of the Indian Penal Code, 1860 submitting to the effect that a reconciliation has since taken place between the petitioners and the respondent no.2 who are living together since 2016 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 present in Court today as being the complainant of the said FIR.

The respondent no.2 has produced her original Aadhar Card, 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 in support of the averments made in the petition Ex.CW2/B voluntarily of her own accord without any duress, coercion or pressure from any quarter.

The respondent no.2 has further stated that she is living peacefully without any problems now with the petitioner no.1, 2 & 3 at her matrimonial home. She has also testified to the effect that she is living with the petitioner no.1 since January, 2016 without any problems now and that she has a child born of the wedlock between her and the petitioner no.1 and that thus she does not oppose the prayer made by the petitioners seeking quashing of the FIR No.485/2015, PS Narela registered under Sections 498A/406/34 of the Indian Penal Code, 1860 nor does she 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 view of the settlement arrived at between the parties.

There appears no reason to disbelieve the statement made by the respondent no.2 that she has made her statement voluntarily and after understanding the implications thereof.

In as much as the FIR has emanated from a matrimonial discord which has since been resolved by the reconciliation between the

petitioner no.1 and the respondent no.2, 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 and thus the FIR No.485/2015, PS Narela registered under Sections 498A/406/34 of the Indian Penal Code, 1860 against the petitioner no.1 Mr. Samsul Hak Khan, petitioner no.2 Ms. Ansara Bibi and the petitioner no.3 Ms. Rahida Bibi is quashed.

The petition is disposed of.

ANU MALHOTRA, J

JANUARY 29, 2020

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IN THE HIGH COURT OF DELHI: NEW DELHI

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CRL.M.C. 6605/2019

SAMASUL HAK KHAN & ORS Vs. THE STATE & ANR

29.01.2020

CW-1 SI Sunil Kumar, PS Vigilance Department.

ON S.A.

I identify the petitioner no.1 Mr. Samsul Hak Khan, petitioner no.2 Ms. Ansara Bibi and the petitioner no.3 Ms. Rahida Bibi as being the accused arrayed in the FIR No.485/2015, PS Narela registered under Sections 498A/406/34 of the Indian Penal Code, 1860. I identify the respondent no.2 Ms. Premnara Bibi as being the complainant of the said FIR. The petitioners and the respondent no.2 are living together.

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IN THE HIGH COURT OF DELHI: NEW DELHI

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CRL.M.C. 6605/2019

SAMASUL HAK KHAN & ORS Vs. THE STATE & ANR

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CW-2 Ms. Premnara Bibi, d/o Mr. Abdul Barik, w/o Mr. Samsul Hak Khan, aged 25 years, r/o H.No.3724, JJ Colony, Bawana, North-West Delhi (my parental address) and also r/o Ishakpur, Pakur, Jharkhand.

I have brought my original Aadhar Card, copy of which is on the record as Ex.CW2/A. My affidavit annexed to the petition bears my signatures thereon at points A & B thereon on Ex.CW2/B, which I have signed voluntarily of my own accord without any duress, coercion or pressure from any quarter.

In as much as I am living together with the petitioner no.1 from January, 2016 after registration of FIR on 24.04.2015 at PS Narela, there is no problem now between me and the petitioners, I have no opposition to the prayer made by the petitioners seeking quashing of the FIR No.485/2015, PS Narela registered under Sections 498A/406/34 of the Indian Penal Code, 1860 nor do I want the petitioners to be punished in relation thereto.

I have a child born of the wedlock between the petitioner no.1 and myself aged one year.

I have studied upto standard 6th.

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
29.01.2020

ANU MALHOTRA, J