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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 8963/2024**
DHANVEER SINGH

.....Petitioner

Through: Mr. Nishant Pathak, Adv.

versus

STATE NCT OF DELHI & ORS.

.....Respondent

Through: Mr. Sunil Kr. Gautam, APP

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER
18.11.2024

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CRL.M.A. 34301/2024-EX.

Allowed subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 8963/2024

1. This is a petition seeking setting aside of the impugned order dated 16.11.2021 passed by the learned MM, Rohini Court Complex, Delhi whereby the cancellation of the closure report filed by the Police was accepted and setting aside of the impugned order dated 03.06.2024 passed by the learned Sessions Court, Rohini Court Complex, Delhi which dismissed the revision filed against the order dated 16.11.2021.
2. The facts in the present case are that the deceased, namely Ms. Manju Yadav, was married to the accused person in the year 1997 according to Hindu rites. On 01.10.2013, the deceased was found hanging in her bedroom and thereafter the father of the deceased filed a written



complaint with P.S. Samaypur Badli against the accused person. On the basis of the complaint, FIR No. 535/2013 dated 23.10.2023 at PS Samaypur Badli under Sections 498A/306/34 of IPC was registered against the accused person.

3. On 16.12.2020, the Police, after investigation, filed the cancellation report before the learned MM.
4. Notice was issued to the complainant and thereafter on 16.11.2021, the cancellation report was accepted by the learned MM.
5. On 03.06.2024, the revision petition filed by the petitioner seeking setting aside of the order dated 16.11.2021 was dismissed by the learned Sessions Court.
6. Hence, the present petition.
7. Issue notice. Mr. Gautam, learned APP accepts notice.
8. It is stated by Mr. Pathak, learned counsel for the petitioner, i.e. the uncle of the deceased, that both the Courts have failed to appreciate that there was a suicide note written by the deceased stating categorically that she was being tormented by her husband and there was constant threat to her life at the hands of her husband. The suicide note also stated that she feared threat to her life from the hands of her husband. The same has not been considered by both their impugned orders.
9. I have heard learned counsels for the parties.
10. In the present case, the suicide note was sent to the FSL and the analysis remained inconclusive.
11. In addition, it is also part of the cancellation report that the complainant was suffering from mental depression and even two three times in the



past had attempted to commit suicide.

12. The complainant, i.e. the father of the deceased victim, also gave a statement that his daughter was not subjected to any kind of torture and he gave no objection to the closure report.
13. The documents pertaining to medical treatment of the deceased was also analysed to come to the finding that the deceased was a patient of depression.
14. The same have duly been considered by the IO, the learned MM on 16.11.2021 while accepting the cancellation report, as well as the learned ASJ while hearing the revision petition.
15. I find no infirmity in the orders passed by the learned MM as well as the learned Sessions Court.
16. For the said reasons, I see no merit in the present petition and the same is dismissed.

JASMEET SINGH, J

NOVEMBER 18, 2024 / (MS)

Click here to check corrigendum, if any