

(2011) 12 DEL CK 0341
In the Delhi High Court
Case No : Criminal M.C. 3135 of 2011

Devender Singh and Others

APPELLANT

Vs

State, Govt of NCT of Delhi

RESPONDENT

Date of Decision : 01-12-2011

Acts Referred:

Penal Code, 1860 (IPC) — Section 34, 406, 498A

Citation : (2011) 12 DEL CK 0341

Hon'ble Judges : Suresh Kait, J

Bench : Single Bench

Advocate : Rakesh Kumar, for P1 to P4 and Mr. Mahesh Verma, for P5/
Complainant, for the Appellant; Rajdipa Behura, APP for State with Krishan Lal,
IO/SI and P.S. Keshav Puram, Delhi, for the Respondent

Final Decision : Allowed

Judgement

Suresh Kait, J.—Notice issued.

2. Learned APP for State accepts notice on behalf of State.

3. Learned counsel for the petitioners submits that vide FIR No. 114 dated 02.04.2010, a case under Sections 498A/406/34 Indian Penal Code, 1860 was registered against petitioners No. 1 to 4 on the complaint of petitioner No. 5/ complainant.

4. Learned counsel further submits that petitioners have amicably settled all the issues qua the aforesaid FIR.

5. Petitioner No. 5 is personally present in the court today and is duly identified by her counsel Mr. Mahesh Verma, Advocate. On instructions, learned counsel for petitioner No. 5 submits that she is no more interested in pursuing the case further and she has no objection if the FIR is quashed as the marriage has already been dissolved.

6. Petitioner No. 1/Husband has brought a Demand Draft No. 306315 for a sum

of Rs. 2.5 Lacs drawn on State Bank of Patiala, dated 05.10.2011 in favour of petitioner No. 5/Ms. Manpreet Kaur, same is handed over to her which is accepted without any protest.

7. Learned counsel further submits that she has already received Rs.4.75Lacs from petitioner No. 1.

8. Learned APP for State submits that Charge-sheet in the matter has yet to be filed in the court.

9. She further submits that Government Machinery have been pressed and precious time of the court has been consumed, therefore, heavy costs may be imposed upon the petitioners while quashing the FIR.

10. I find force in the submissions made by the learned APP for State.

11. Learned counsel for the petitioners No. 1 to 4 on instructions submits that petitioners No. 1 and 2 are willing to donate some amount towards welfare schemes. They wish to distribute sweaters/thermal wears to the destitute and needy persons as the winter season is approaching.

12. I appreciate this gesture of the petitioners No. 1 and 2. Accordingly, they are directed to donate an amount of Rs. 1Lac in total in favour of Welfare Fund for Children and destitute Women at Nirmal Chaya, Jail Road, Tihar, New Delhi, within a period of 03 weeks.

13. I further direct Superintendent, Nirmal Chaya, Jail Road, Tihar, New Delhi to spend the amount of Rs.1 Lac in purchasing winter wears/sweaters for the inmates and needy persons of Nirmal Chaya and distribute the same.

14. Accordingly, the FIR No. 114/2010 registered at P.S. Keshavpuram, Delhi and all the proceedings emanating there from are quashed.

15. Criminal M.C. 3135/2011 stands allowed.

16. Copy of the order be sent to Superintendent, Nirmal Chaya, Jail Road, Tihar, New Delhi for compliance.