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

+ CRL.M.C. 3084/2022
YOGESH AND ORS

..... Petitioners

Through: Mr. Vivek Kadyan and Mr. Raj
Singh, Advocates with the petitioner
no. 3 in person.

versus

STATE GOVT. OF NCT OF DELHI AND ANR. Respondents

Through: Mr. Raghuvinder Varma, APP for the
State with S.I. Munish Khar, P.S.
Sultanpuri.

CORAM:

HON'BLE MR. JUSTICE SUDHIR KUMAR JAIN

ORDER

19.09.2022

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1. The present petition is filed under section 482 Cr.P.C for quashing of FIR bearing no. 0299/2016 dated 06.04.2016 under sections 498A/406/34 IPC read with section 4 of Dowry Prohibition Act at P.S. Sultanpuri.
2. Investigating Officer, S.I Munish Khar, stated that the respondent no. 2 has sent a request for exemption from personal appearance before this court today. The respondent no. 2 is exempted from personal appearance. The respondent no. 2 is directed to appear before this court on the next date of hearing positively and the Investigating Officer is directed to inform the respondent no. 2 about the next date of hearing regarding appearance before this court.
3. This court vide order dated 12.07.2022 had directed the Principal Judge, Family Courts, Headquarters, Dwarka to apprise this court about the

facilities provided to the Principal Counsellor /Counsellor attached with the Family Courts for typing/preparing the Conciliation/Settlement report between the contested parties by submitting appropriate report.

4. In compliance of the said directions a letter dated 22.08.2022 is received from Shri Praveen Kumar, Principal Judge (Headquarters), Family Courts, Dwarka, New Delhi whereby he informed that at present 22 Family Courts are functioning in New Delhi and 26 Counsellors (13 Principal Counsellors and 13 Counsellors) are posted. However, the computer systems are not provided to them for typing/preparing the Conciliation/Settlement Report.

5. It is noticed by this court in other cases also that the settlement which are being sent by the Principal Counsellors/Counsellors attached with the family courts are hand-written and most of the time they are also filled in a performa.

6. This Court is also dealing with the petition under section 482 Cr.P.C for quashing of FIRs including FIR under sections 406/498A/34 IPC. In many of such petitions, the settlements recorded between the concerned parties are also annexed with the petition and sometimes these statements are recorded before Principal Counsellors/Counsellors attached with the Family Courts.

7. It is noticed that these settlements are either hand-written or they are written by filling a performa. These settlements recorded by Principal Counsellors/Counsellors are also not legible and appearing to be recording the statement out of context of the actual settlement. This is causing great inconvenience to the litigants and to the Courts also. It is true that the hard work done by the Principal Counsellors/Counsellors at the time of making

efforts for settlement may not yield proper results due to the non-availability of computers alongwith printers for recording/typing of settlements. Principal Counsellors/Counsellors being an integral part of the institution of Family Courts are required to be provided with computers alongwith printers so that the settlements affected before the Principal Counsellors/Counsellors can be recorded in right perspective.

8. The Principal Judge, Headquarters, Family Courts, Dwarka is directed to take up the issue with the Principal District and Sessions Judge, (Headquarters) and Chairperson, Centralized Computer Committee or any other concerned committee for providing at least one computer alongwith printer in each district to the Principal Counsellor/Counsellor so that the settlement or conciliation report prepared by them can be typed on computer for the convenience of the court as well as of the convenience of the concerned parties.

9. The Principal Judge (Headquarters), Family Courts, Dwarka, is directed to submit the report in this regard, before the next date of hearing. Copy of this order be sent to the Principal District and Sessions Judge, (Headquarters), Tis Hazari Courts, Principal Judge (Headquarters), Family Courts, Dwarka for information and compliance with the direction to report the same to this court at least one week prior to the next date of hearing.

10. List on 03.11.2022.

SUDHIR KUMAR JAIN, J

SEPTEMBER 19, 2022/sk/sd