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

+ CRL.M.C. 1730/2017

YOGESH CHANDER NIJHAWAN @ SHANTOO Petitioner
Through: Petitioner in person

versus

STATE & ORS Respondents
Through: Ms.Kusum Dhalla, APP for the State
with SI Jaipal Singh PS Ranjit Nagar
Respondent No.2/complainant in
person

CORAM:
HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER
04.07.2017

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1. Despite three passovers, counsel for the petitioner is not present.
2. By way of this petition filed under Section 482 Cr.P.C., petitioner is seeking quashing of case FIR No.517/2016 registered under Sections 354/506 IPC at PS Ranjit Nagar, Delhi. Along with the petition, a compromise deed has also been annexed.
3. The case FIR No.517/2016 PS Ranjit Nagar under Sections 354/506 IPC was registered on 14th December, 2016 on the basis of statement made by respondent No.2/complainant about the incident in the roadside park, New Ranjit Nagar.
4. Respondent No.2/complainant is present in the Court and submits that

since the petitioner has tendered apology to her for the incident, she has agreed to pardon him.

5. Attention of the respondent No.2/complainant has been drawn to the para no.2 of the compromise deed wherein it is recorded as under:-

“That the first party wrongly identified Mr.Yogesh Chander as second party as the man who harassed/embarrassed them in the park due to dark and distance, hence the present compromise deed.”

6. The respondent No.2/complainant has disputed the correctness of the above paragraph by emphasizing that even today outside this Court room the petitioner was tendering apology to her for the incident. She agreed to put an end to this criminal litigation only for the reason that he was apologising for his wrong deeds. She further submits that there is no confusion about the identity of the petitioner and if the petitioner is denying the incident then she is not willing to get the criminal proceedings quashed.

7. The petitioner, who is present in person, submits that there was no question of feeling sorry or seeking pardon as no such incident has ever taken place and in that case he cannot be subjected to face a criminal trial.

8. As the matter needs to be adjudicated by the learned trial Court, the petition seeking quashing of case FIR No.517/2016 PS Ranjit Nagar under Sections 354/506 IPC is dismissed.

PRATIBHA RANI, J.

JULY 04, 2017

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