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

+ **CRL.M.C. 3418/2016**

MD ALLAUDDIN

..... Petitioner

Represented by: **Mr. V.K. Anand, Adv.**

versus

STATE (NCT DELHI) & ANR.

..... Respondent

Represented by: **Ms. Meenakshi Chauhan APP
with SI Pankaj, PS Chandni
Mahal.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
24.01.2017

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By this petition the petitioner seeks quashing of FIR No.104/2016 under Section 420/468/471/506 IPC registered at PS Chandni Mahal on the complaint of respondent No.2 on the ground that parties have settled the matter.

A complaint under Section 200 Cr.P.C. read with Section 156(3) Cr.P.C. was filed before the learned ACMM by the petitioner seeking directions for registration of FIR against the then SHO PS Chandni Mahal. In the said complaint it was alleged that on 6th April, 2015 at about 4.00 AM the then SHO Chandni Mahal along with four other Police officers entered into his house, slapped his wife, abused her and his children and Police

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officers tried to outrage modesty of his wife and lifted his children and illegally detained them at Police Post Turkman Gate. On the said complaint the learned ACMM vide its order dated 10th July, 2015 directed registration of FIR. One of the signatories to the documents accompanying complaint was Ms. Sophiya who was stated to be a witness of the incident. Ms. Sophiya, the respondent No.2 filed a complaint stating that on the document dated 23rd June, 2016 filed by Allauddin before the learned Metropolitan Magistrate her signatures were forged and fabricated. On the basis of statement of Sophiya the present FIR i.e. FIR No.104/2016 under Sections 420/468/471/506 IPC was registered and is pending investigation.

Now the petitioner Allauddin seeks quashing of this FIR on the basis of settlement. Undoubtedly, the parties have entered into a settlement and Ms. Sophiya is also present in Court and is identified by the investigating officer. She states that she has settled the matter with the petitioner and does not wish to pursue the above-noted FIR. However, the issue is not of Ms. Sophiya settling the matter with the petitioner or pursuing the FIR but the fact that a forged document was filed before the Court.

In view of the fact that dispute between the parties is not inter-se but relates to a document filed in the Court, this Court finds no reason to quash FIR No.104/2016 under Sections 420/468/471/506 IPC on the basis of compromise between the parties.

Petition is dismissed.

MUKTA GUPTA, J.

JANUARY 24, 2017

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