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

+ CRL.M.C. 4636/2016

SACHIN

..... Petitioner

Through: Mr.Hirendra Kumar, Advocate

versus

THE STATE & ORS.

..... Respondents

Through: Mr.Kamal Kumar Ghei, APP for State
with SI Manoj, Police Station
Mundka

Respondent No.2 in person

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **12.12.2017**

Vide the present petition, the petitioner seeks quashing of the FIR No.106/2015 under Sections 354D/506/34 IPC, 1860, Police Station Mundka *inter alia* submitting to the effect that a settlement has since been arrived at between the petitioner and the respondent No.2 whereby a compromise deed dated 6.8.2016 executed between them.

The Investigating Officer of the case has identified the petitioner and the respondent No.2 present before Court. The Investigating Officer has further stated to the effect that apart from the present petitioner there is another accused in the FIR, *namely*, Nitin and two other accused also named in the FIR who are JCLs and have since pleaded guilty and their cases have since been disposed.

The status report that has been submitted by the State dated 19.5.2017 of Inspector Satya Prakash also categorically indicates and verifies the factum of the settlement between the petitioner and the complainant of the FIR.

The respondent No.2 has been examined on oath and in her

examination in Court she has affirmed her signatures on the compromise deed dated 6.8.2016, i.e., EX.CW-2/A and her affidavit annexed thereto Ex.CW-2/B and has also testified to the effect that she has signed the compromise deed voluntarily of her own accord without any duress, pressure or coercion from any quarter. She further testified that she has made her statement voluntarily of her own accord without any duress, pressure or coercion from any quarter inasmuch as she has testified to the effect that the petitioner and his parents have since apologized to her.

The petitioner, who is present in person, has stated on oath that he shall have no contact with the respondent No.2 any further.

Taking into account the said statements of the petitioner and the respondent No.2 so that peace and harmony between the petitioner and the respondent No.2 is restored and maintained, and in view of the verdict *in Gian Singh vs. State of Punjab & Another, (2012) 10 SCC 303* and *Jitendra Raghuvanshi & Ors. Vs. Babita Raghuvanshi & Anr. (2013) 4 SCC 58*, it is considered appropriate to put a quietus to the litigation to maintain peace and harmony between the parties and in the society as in not granting the prayer made by the petitioner, justice would itself become a casualty.

In view thereof, the prayer made by the petitioner seeking quashing of the FIR 106/2015 under Sections 354D/506/34 IPC, 1860, Police Station Mundka qua the present petitioner Sachin and all proceedings emanating therefrom are thus quashed.

The petition is disposed of.

ANU MALHOTRA, J

DECEMBER 12, 2017/sv

IN THE HIGH COURT OF DELHI: NEW DELHI

Item No. 32

CrI. M.C. 4636/2016

SACHIN Vs. STATE & ANR.

12.12.2017

CW-3 STATEMENT OF SACHIN S/O SH.SURESH KUMAR, AGED 25 YEARS, R/O FLAT No.803, ELSA TOWER, OMAXE CITY BAHADURGARH, DISTRICT JHAJJAR, HARYANA AND ALSO AT H. NO.119, VILLAGE-DAHKORA, TEHSIL BAHADURGARH, DISTRICT- JHAJJAR HARYANA

On S.A.

I undertake not to contact any further with the respondent No.2.

RO & AC

12.12.2017

ANU MALHOTRA, J

IN THE HIGH COURT OF DELHI: NEW DELHI

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SACHIN Vs. STATE & ANR.

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CW-2 STATEMENT OF MS.MONA VERMA @ MEHAK VERMA D/O SH.VINOD VERMA, AGED 22 YEARS, R/O J-12, WEST PATEL NAGAR, DELHI AND ALSO AT 704, TRUMP TOWER, OMAXE NORTH AVENUE, BAHADURGARH, DISTRICT JHAJJAR, HARYANA

On S.A.

I have studied till standard XIIth.

Since the petitioner and his parents have apologized, I do not oppose the petition filed by the petitioner seeking quashing of the FIR No.106/2015 under Sections 354D/506/34 IPC, 1860, Police Station Mundka.

The compromise deed/memorandum of settlement bears my signatures thereon at point A on EX.CW-2/A. My affidavit annexed to the said compromise deed bears my signatures thereon at points B & C on ExCw-2/B. I do not oppose the prayer made by the petitioner and do not seek that he is punished.

I have made this statement voluntarily of my own accord without any duress, coercion or pressure from any quarter.

RO & AC
12.12.2017

ANU MALHOTRA, J

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CW-2 SI MANOJ POLICE STATION MUNDKA

ON S.A.

I identify both the petitioner Sachin as the accused and the respondent No.2 Mona Verma @ Mehak Verma, the complainant of the FIR No.106/2015, under Sections 354D/506/34 IPC, 1860 at Police Station Mundka present in the Court today. Apart from the petitioner Sachin, the other accused is Nitin and two other accused, who are JCLs. The JCLs have pleaded guilty before the Juvenile Justice Board and their cases have been disposed of.

RO & AC

12.12.2017

ANU MALHOTRA, J