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

+ CRL.M.C. 4942/2017

DALJEET SINGH & ORS

..... Petitioner

Through

Ms. Manjeet Singh, Mr. Himanshu Kaushik, Advs. with P2 & P3 in person.

versus

STATE & ANR

..... Respondent

Through

Mr. Panna Lal Sharma, APP for State with ASI Tejram, PS Nazafgarh. R2 in person.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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28.11.2017

IO of the case has identified the petitioner no. 2 Mr. Deepak Kumar s/o Late Sh. Sewa Ram and petitioner no. 3 Naveen Dahiya s/o Late Sh. Rai Singh as two of the accused persons in FIR No. 252/13, registered at PS Najafgarh, under Sections 448/420/506/120-B of the Indian Penal Code, 1860 and the respondent no. 2 Vinod Kumar s/o Sh. Dharam Singh and has also identified the photograph of the petitioner no. 1 namely Daljeet Singh s/o Sh. Gajjan Singh and the photocopy of his Aadhar card on the record as Ex.CW1/A. He has testified to the photocopies of the Aadhar card of the petitioner no. 1 Daljeet Singh s/o Sh. Gajjan Singh, petitioner no. 2 Mr. Deepak Kumar s/o Late Sh. Sewa Ram and petitioner no. 3 Naveen Dahiya s/o Late Sh. Rai Singh and of the respondent no. 2 Vinod Kumar s/o Sh. Dharam Singh being Ex.CW1/A, Ex.CW1/B, Ex.CW1/C & Ex.CW1/D respectively with the originals having been produced and seen and returned.

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The IO of the case has also affirmed having made a statement earlier before the learned Trial Court on 17.12.2016 during the course of the anticipatory bail proceedings before the learned ASJ-03, Dwarka, New Delhi that a settlement has been arrived at between the parties.

The complainant of the FIR in question Mr. Vinod Kumar s/o Sh. Dharam Singh has affirmed having signed at points-A & B on the affidavit annexed to the petition i.e. Ex.CW2/A submitting to the effect that the matter between him and the petitioners has since been resolved and that he has received a total sum of Rs.30 lacs from the petitioner no. 2 Deepak Kumar s/o Late Sh. Sewa Ram in relation to his claim qua FIR No. 252/13, registered at PS Najafgarh, under Sections 448/420/506/120-B of the Indian Penal Code, 1860 and that he does not seek any further proceedings against the petitioner no. 1 namely Daljeet Singh s/o Sh. Gajjan Singh, petitioner no. 2 Mr. Deepak Kumar s/o Late Sh. Sewa Ram and petitioner no. 3 Naveen Dahiya s/o Late Sh. Rai Singh and that he has no opposition to the quashing of the FIR No. 252/13, registered at PS Najafgarh, under Sections 448/420/506/120-B of the Indian Penal Code, 1860, registered on his complaint.

Learned APP for the State also in the circumstances of the case does not oppose the prayer made by the petitioner seeking quashing of the FIR No. 252/13, registered at PS Najafgarh, under Sections 448/420/506/120-B of the Indian Penal Code, 1860.

Taking into account the statement made by the complainant of the FIR in question, Mr. Vinod Kumar s/o Sh. Dharam Singh submitting to the effect that the matter between him and the petitioners has since been

resolved and that he has received a total sum of Rs.30 lacs from the petitioner no. 2 Deepak Kumar s/o Late Sh. Sewa Ram in relation to his claim qua FIR No. 252/13, registered at PS Najafgarh, under Sections 448/420/506/120-B of the Indian Penal Code, 1860 and the statement of the IO of the case of his having made a statement earlier before the learned Trial Court on 17.12.2016 during the course of the anticipatory bail proceedings before the learned ASJ-03, Dwarka, New Delhi that a settlement has been arrived at between the parties and the factum that the complainant of the case does not oppose the prayer made in the petition seeking quashing of the FIR No. 252/13, registered at PS Najafgarh, under Sections 448/420/506/120-B of the Indian Penal Code, 1860 and as there is no reason to disbelieve that the statement of the complainant has been made voluntarily of his own accord without any duress or coercion from any quarter, thus it is considered appropriate in the interest of justice that the prayer made by the petitioner seeking quashing of the FIR No. 252/13, registered at PS Najafgarh, under Sections 448/420/506/120-B of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom is allowed, which is thus accordingly allowed, and the FIR No. 252/13, registered at PS Najafgarh, under Sections 448/420/506/120-B of the Indian Penal Code, 1860 and all consequential proceedings emanating therefore are quashed.

The petition is disposed of.

ANU MALHOTRA, J

NOVEMBER 28, 2017/MK

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