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

+ **CRL.M.C. 4670/2017**

KULDEEP SINGH @ KULDEEP NAMBARDAR Petitioner

Through: Mr.Rajender S. Bidhuri, Advocate

versus

STATE NCT OF DELHI & ANR Respondents

Through: Mr.Panna Lal Sharma, APP for State
with ASI Vijay Pal Chauhan, PS
Greater Kailash
Mr.Mohit Nandwani, Adv for
Complainant.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% 14.11.2017

CrI.M.A.No.18589/2017 (Exemption)

Exemption allowed, subject to just exceptions.

CrI.M.C. 4670/2017

Vide the present petition, the petitioner seeks the quashing of the FIR No.145/2017 under Sections 452/506/427/380/34 IPC Police Station Greater Kailash registered against him and other unknown persons submitting to the effect that a settlement has been arrived at between the parties vide the settlement deed dated 19.9.2017, original of which has been submitted on record today and taken on record as Ex.CW2/A. The statement of the complainant Mr.Amit Kumar Tiwari, the respondent No.2 has been recorded separately today.

The Investigating Officer of the case has identified both, the petitioner and the respondent and it is further submitted that there had been no arrest in the said FIR so far.

The respondent has made a statement to the effect that in view

of the settlement arrived at between the petitioner and the respondent, a sum of Rs.5,50,000/- has already been paid by the petitioner to the respondent in relation to the damage caused to the NGO run by the respondent and he does not seek the continuance of any further proceedings in relation to the said FIR neither against the petitioner nor against the other persons who have not been named subsequently in the said FIR. He has further stated that he has made his statement voluntarily of his own accord and that he has signed the settlement agreement deed Ex.CW2/A also voluntarily of his own accord. Thus, there is no reason to disbelieve the statement made by the respondent.

Learned APP for the State also does not oppose prayer made by the petitioner seeking quashing of the said FIR.

In view of the statement made by the Investigating Officer of the case and the reasons detailed in the petitioner and the settlement arrived at between the parties vide the settlement agreement dated 19.9.2017, for which there appears no reason to disbelieve the same, no useful purpose would be served by continuing the proceedings in relation to the FIR No.145/2017 under Sections 452/506/427/380/34 IPC Police Station Greater Kailash and all other proceedings emanating therefrom and thus the said FIR No.145/2017 under Sections 452/506/427/380/34 IPC, 1860 Police Station Greater Kailash and all the proceedings emanating therefrom are quashed.

The petition is disposed of accordingly.

ANU MALHOTRA, J

NOVEMBER 14, 2017/sv

IN THE HIGH COURT OF DELHI: NEW DELHI

Item No. 66

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**KULDEEP SINGH @ KULDEEP NAMBARDAR Vs. STATE & ANR.
14.11.2017**

CW-2 Statement of Amit Kumar Tiwari, S.o of Rajit Ram Tiwari, Aged 30 years, R/o A-117 Jamrudpur, previously residing at 65/66, Second Floor, Jamrudpur, Greater Kailash-I, New Delhi.

On S.A.

I have brought my original identity card, i.e., Aadhar Card bearing No.642050529368

A settlement has been arrived at between me and the petitioner. The settlement deed Ex.CW2/A bears my signatures at point 'A' on each page submitted now on the record which I have signed voluntarily of my own accord without any duress, coercion or pressure from any quarter.

Since a settlement has been arrived at between me and the petitioner and I have been reimbursed for all the damage caused to the NGO by payment of a sum of Rs.5,50,000/- by the petitioner to me, I do not seek to pursue any further proceedings in relation to the FIR No.145/2017 under Sections 452/506/427/380/34 IPC, Police Station Greater Kailash against the petitioner and I also do not seek any further proceedings against the other unnamed persons mentioned in the said FIR.

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

**RO & AC
14.11.2017**

ANU MALHOTRA, J

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**CW-1 Statement of ASI VIJAY PAL CHAUHAN, POLICE STATION
GREATER KAILASH, NEW DELHI.**

On S.A.

I identify both the petitioner and the complainant in the instant case in relation to FIR No.145/2017 under Sections 452/506/427/380/34 IPC, Police Station Greater Kailash. No person has been arrested in the said FIR so far. The names of the other persons other than Kuldeep Singh S/o Late Shri Kehar Singh have been named in the FIR.

**RO & AC
14.11.2017**

ANU MALHOTRA, J