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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 4874/2017

MUNNA & ORS

..... Petitioners

Through: appearance not given.

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Through: Mr. Raghuvinder Varma, APP for
State with SI Somvir, PS Seemapuri.
Mr. Ram Kishan Gupta, Adv. for R-2
with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

12.12.2017

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Vide the present petition, the petitioner seeks quashing of FIR No.370/2016, under Sections 451/354/354(A)/354(B)/323/509/34 of IPC, 1860, Police Station Seemapuri against the petitioner No.1 Shri Munna Shah, petitioners No.2 Shri Guddu, petitioners No.3 Shri Gulsher and petitioners No.4 Mohd. Umar and all consequential proceedings emanating therefrom submitting to the effect that there is a settlement arrived at between the petitioners and the respondent no.2, complainant of the said FIR vide Memorandum of Understanding dated 06.11.2017.

The Investigating Officer of the case is present and has duly identified the petitioner nos. 1 to 4 as being the only accused in the FIR No. 370/2016 and also identified the prosecutrix present in the Court today being the respondent no.2 of the said FIR.

Husband of the respondent no.2 is also present today in Court.

The respondent no. 2 has also brought her proof of identity in the form of her original Aadhar Card, photocopy of which is taken on record as Ex.CW2/A and has identified her signatures on her affidavit annexed to the petitioner at point A and B on Ex. CW2/B and has also affirmed having signed the Memorandum of Understanding which is placed on record as Ex. CW2/C voluntarily of her own accord and without any duress, coercion or pressure from any quarter. She further submits that she has no opposition to the FIR No.370/2016, under Sections 451/354/354(A)/354(B)/323/509/34 of IPC, 1860, Police Station Seemapuri and all consequential proceedings emanating therefrom being quashed.

She has further testified to the effect that she has made her statement of her own accord without any duress, coercion or pressure from any quarter.

The spouse of the respondent no. 2 is also present in the Court today and has produced his proof of identity in the form of his Aadhar Card, photocopy of which is on the record as Ex. CW/A. In reply to a specific court query, he has stated that the respondent no.2 is living with him and he has no opposition to the quashing of the said FIR.

Taking into account the settlement between the petitioners no. 1 to 4 and the respondent no. 2 for the maintenance of peace and harmony between them especially as the petitioner nos. 1 to 4 are the in-laws and relatives of the sister of the respondent no. 2 and as apparently the respondent no.2 thus, has visiting relations with her sister, for the maintenance of peace and harmony between the

petitioners and the respondent no.2, in the circumstances of the case and in view of the non-opposition by the respondent no.2, it is considered appropriate to allow the prayer made by the petitioner seeking quashing of FIR No.370/2016, under Sections 451/354/354(A)/354(B)/323/509/34 of Indian Penal Code, 1860, Police Station Seemapuri and all the consequential proceedings emanating therefrom which FIR No.370/2016, under Sections 451/354/354(A)/354(B)/323/509/34 of IPC, 1860, Police Station Seemapuri and all the consequential proceedings emanating therefrom are thus quashed.

Copy of the order be given *Dasti, as prayed.*

ANU MALHOTRA, J

DECEMBER 12, 2017

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