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

+ CRL.M.C. 4900/2017, CrI. M A 19488/2017 & 19489/2017

RAJENDER PAWAR & ANR Petitioners

Through: Mr. Vinod K Gupta, Advocate
Petitioner nos. 1 and 2 in person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Through: Mr. Kamal Kumar Ghei, APP for
State
Mr. Nitish Chaudhary, Advocate for
R-2 along with R-2, in person.
SI Amit Solanki, PS: Vasant Vihar

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **06.12.2017**

Petitioner nos. 1 and 2, respondent no.2 through counsel, APP
for the State and SI, Amit Solanki are present in person.

CrI. M A 19489/2017

The application seeking exemption from filing the certified
copies is allowed, subject to just exceptions.

CrI. M C 4900/2017

Vide the present petition, the petitioners seeks quashing of the
FIR No. 94/2016 under Sections 354(A)/509/34 IPC, 1860 lodged on
the complaint of the respondent no. 2, present today in Court.

It is stated that a settlement has been arrived at between the
petitioners and the respondent no.2 amicably.

The IO has identified the petitioner nos. 1 and 2 and the

respondent no.2 is present today in Court and all have produced their original Aadhar cards (copies of the same are placed on record as Ex. CW-1/A, B and C respectively). The respondent no. 2 has in her statement affirmed her signatures on the compromise deed, original of which has been produced on 1.2.2016 (copy of which is placed on the record as Ex. CW-2/A).

The respondent no.2 has stated that she has arrived at a settlement with the petitioners voluntarily without any threat, fear, pressure, duress or coercion and she does not oppose the prayer made by the petitioners seeking quashing of the FIR and of all the consequent proceedings emanating there from.

A statement has been made also by the respondent no.2 that the cross-FIR being FIR No.100/2016 lodged on the complaint of the wife of the petitioner no.1 against the husband of the respondent no.2 has also been quashed today which is affirmed also on behalf of the State.

The learned APP for the State in the circumstances of the case does not oppose the statement made by the petitioner seeking quashing of the FIR. Though the offence under Section 354 of the Indian Penal Code, 1860 is not compoundable, taking into account the statement of the respondent no.2 and the factum of the settlement arrived at between the petitioners and the respondent no.2 both qua the FIR No. 100/2016 and FIR No. 94/2016, both registered at PS, Vasant Vihar, sought to have been lodged on the complaint of the wife of the petitioner no.1 against the spouse of the respondent, so that peace and harmony can be restored between the parties, it is

considered appropriate to allow the prayer made by the petitioner, and thus the above petition is allowed and the FIR No. 94/2016 under Sections 354(A)/509/34 IPC registered at PS Vasant Vihar, New Delhi and all the consequential proceedings emanating therefrom against the petitioner nos.1 and 2 are quashed.

ANU MALHOTRA, J.

DECEMBER 06, 2017/P

Item no. 19

Crl. M C. 4900/2017

06.12.2017

**STATEMENT OF SI, AMIT SOLANKI, PS VASANT VIHAR, NEW
DELHI, ON S.A.**

I identify the petitioner nos. 1 and 2 – Rajender Pawar and Hemant Sharma who are the accused, and respondent no.2 – Beena Devi, who is the complainant in FIR No. 94/2016, present today in Court. The photocopies of the proof of identification of petitioner nos. 1 and 2 and of the respondent no.2 are placed on the record (original seen and returned), which are marked as Ex. CW-1/A,B & C. (The original Aadhar cards seen and returned).

R.O. & A C.

DECEMBER 6, 2017

ANU MALHOTRA, J.

Item No.19

Crl. M C. 4900/2017

06.12.2017

STATEMENT OF CW-2, BEENA DEVI, W/O. VIRENDER Singh PAWAR, AGED 42 YEARS, R/O. H.No. 70-A, BER SARAI, NEW DELHI, ON S.A.

The compromise deed dated 1.2.2016 bears my signatures thereon as visible at point A, the copy of the same is Ex, CW-2/A. I have signed the said compromise deed without any fear, threat, pressure, duress or coercion from any quarter.

I have come for a compromise today with the petitioner nos. 1 and 2; Rajender Pawar & Hemant Sharma. I have no opposition to the terms made by the petitioner seeking quashing of the FIR No. 94/2016, registered under Sections 354(A)/509/34 IPC, 1860 at PS Vasant Vihar, in view of the settlement arrived at between the parties without any threat, duress, pressure or coercion. The FIR lodged by the wife of the petitioner no.1 against my spouse has also been quashed today i.e. FIR No. 100/2016, PS Vivek Vihar.

R.O. & A C.

DECEMBER 6, 2017

ANU MALHOTRA, J.