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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CRL.M.C. 261/2018**

**RASH PAL SINGH @ PALLI & ANR** ..... Petitioners  
Through: Mr.Harmeet Singh, Advocate

versus

**THE STATE GOVT OF NCT OF DELHI & ANR** ..... Respondents  
Through: Mr. Raghuvinder Varma, APP for  
State with SI Vijay Kaushik, PS  
Kalkaji  
Mr.Yudhishter Lal, Adv for R-2

**CORAM:**  
**HON'BLE MS. JUSTICE ANU MALHOTRA**

**ORDER**

% **18.01.2018**

**Crl.M.A. No. 1002/2018 (Exemption)**

This is an application filed on behalf of the petitioner for exemption from filing certified copies of the annexures.

Exemption allowed, subject to just exceptions.

**Crl.M.C. 261/2018**

Vide the present petition, the petitioners seek quashing of the FIR No.723/2015, under Sections 323/354/506/509/34 of the Indian Penal Code, 1860, Police Station Kalkaji, and all consequential proceedings emanating therefrom submitting to the effect that the petitioners and the respondent No.2 have arrived at a settlement at the Mediation Centre, Saket Court, New Delhi dated 23.8.2017 pursuant to which a Memorandum of Understanding /compromise deed was executed on 3.1.2018 with the intervention of relatives and family

members and it is thus sought that the said FIR No. 723/2015, under Sections 323/354/506/509/34 of the Indian Penal Code, 1860, Police Station Kalkaji, and all consequential proceedings emanating therefrom be quashed.

The Investigating Officer of the case is present in Court and has identified the petitioners No.1 and 2 as being the accused in the FIR in question and the respondent No.2 as being the complainant thereof.

The respondent No.2 on her examination on oath by the Court has affirmed having signed her affidavit (EX.CW-1/D) annexed to the petition and also testified to having signed the Memorandum of Understanding (EX.CW-1/C) at the Mediation Centre, Saket Court dated 3.1.2018 executed between her and the petitioners No.1 and 2 annexed to the petition voluntarily of her own accord without any duress, coercion or pressure from any quarter and she is not under influence whilst making the said statement.

The respondent No.2 is apparently a graduate and runs a Saloon. She has also testified to the effect that she does not oppose the prayer made by the petitioners seeking quashing of the FIR No. 723/2015, under Sections 323/354/506/509/34 of the Indian Penal Code, 1860, Police Station Kalkaji inasmuch as the petitioners have apologized to her and that the petitioners reside at some distance from her residence and apparently there appears no reason to disbelieve the statement of the respondent No.2 that she has arrived at a settlement with the petitioners No.1 and 2 voluntarily of my own accord without any duress, pressure or coercion from any quarter, it is considered appropriate in the interest of justice to put a quietus to the litigation

between the parties so that peace and harmony between them is restored.

In view thereof the prayer made by the petitioners seeking quashing of the FIR No. 723/2015, under Sections 323/354/506/509/34 of the Indian Penal Code, 1860, Police Station Kalkaji and all consequential proceedings emanating therefrom against the petitioners No.1 and 2 is thus allowed and the FIR No. 723/2015, under Sections 323/354/506/509/34 of the Indian Penal Code, 1860, Police Station Kalkaji and all consequential proceedings emanating therefrom are thus quashed against the petitioners.

The petition is disposed of.

**ANU MALHOTRA, J**

**JANUARY 18, 2018/sv**

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

**Item No. 42**

**Crl. M.C. 261/2018**

**RASHPAL SINGH @ PALLI & ANR. Vs. STATE & ANR.**

**18.01.2018**

**CW-2 SI VIJAY KAUSHIK, POLICE STATION KALKAJI  
ON S.A.**

I identify the petitioners No.1 and 2, *namely*, Rashpal Singh @ Palli and Gurdeep Singh as the sole accused and the respondent No.2 Mrs.Kiran Kataria, the complainant of the FIR No.723/2015, under Sections 323/354/506/509/34 of the Indian Penal Code, 1860, Police Station Kalkaji present in the Court today. The proofs of identity of the petitioners No.1 and 2 in the form of the photocopy of their Aadhar Cards bearing Nos. No.673794314350 (petitioner No.1), 336842516503(Petitioner No.2), and the proof of identity of the respondent No.2 in the form of the photocopy of her Election Commission Identity Card bearing No.ARE0726315 have been produced, the same qua the petitioners No.1 and 2 being Ex.CW-2/A, and Ex.CW-2/B and of the respondent No.2 being Ex.CW-1/A respectively (Originals seen & returned.).

**RO & AC**

**18.01.2018**

**ANU MALHOTRA, J**

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

**Item No. 42**

**Crl. M.C. 261/2018**

**RASHPAL SINGH @ PALLI & ANR. Vs. STATE & ANR.**

**18.01.2018**

**CW-1 MRS. KIRAN KATARIA, W/O SH. RAJESH KATARIA, R/O  
3/2, KALKAJI EXTENSION, NEW DELHI.**

**ON S.A.**

I have brought my original Election Commission Identity Card bearing No. ARE0726315. The photocopy of which is Ex.CW-1/A.

I am a graduate and run a salon.

A settlement has been arrived at between me and the petitioners No.1 and 2 at the mediation Centre, Saket Court, New Delhi. The certified copy of the Mediation Settlement dated 23.8.2017 bears my signatures on each page thereof at point 'A' on EX.CW-1/B. The Memorandum of Understanding/ the compromise deed arrived at between me and the petitioners dated 3 January, 2018 due to intervention of relatives bears my signatures at point 'A' on each page thereof on EX.CW-1/C. My affidavit annexed to the petition in support of the averments made in the petition thereof at point 'A' on EX.CW-1/D which I have signed voluntarily of my own accord without any duress, pressure or coercion from any quarter.

I do not oppose the prayer made by the petitioner seeking quashing of the FIR No. 723/2015, under Sections 323/354/506/509/34 of the Indian

Penal Code, 1860, Police Station Kalkaji inasmuch as the petitioners have apologized to me. The petitioners reside at some distance from my residence.

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

**RO & AC**  
**18.01.2018**

**ANU MALHOTRA, J**