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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 317/2018

ASHISH SINGHAL

..... Petitioner

Through: Mr.Ajay Kumar Jha, Advocate

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Through: Mr. Panna Lal Sharma, APP for State
with SI Devender, PS Dabri
Mr.____Advocate, for R-2 with
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **22.01.2018**

Learned counsel appearing for the respondent no.2 seeks to submit his vakalatnama on record within a week.

Respondent No.2 is present.

The Investigating Officer of the case is present and has identified the petitioner and the respondent No.2 and her spouse.

Vide the present petition, the petitioner seeks quashing of the FIR No.43/2014, under Sections 354/354D/354B/506/509 Indian Penal Code, 1860, Police Station Dabri in view of the settlement.

The respondent No.2 on her examination by the Court testified having sworn her affidavit EX.CW-2/A annexed to the petition and having signed the mediation settlement dated 17.11.2015 of the settlement arrived at between the petitioner and her at the Mediation Centre, Dwarka Courts voluntarily of her own accord without any duress, pressure or coercion from any quarter. The certified copy of which is EX.CW-2/B.

The Investigating Officer of the case is present and has identified the petitioner and the prosecutrix Ms.X and the spouse of the

prosecutrix/respondent No.2 as being the complainant of the FIR No.43/2014, under Sections 354/ 354B/ 354D/ 509/ 506 IPC, 1860, Police Station Dabri. The original Aadhaar Card of the petitioner bearing No.992398691962, is Ex.CW-1/A

The respondent No.2 is apparently educated to the extent that she can make a statement of her own inasmuch as she has stated that she has studied till standard 12th and she is a mother of a child of age 4 years. The spouse of the respondent No.2 is also present and in reply to a specific court query has stated that he does not oppose the prayer made by the petitioner seeking quashing of the FIR in question and it is apparent that the respondent No.2 is living with him.

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 in question.

Taking into account the statement made by the respondent No.2, there appears no reason to disbelieve that she has reached a settlement voluntarily of her own accord without any duress, pressure or coercion from any quarter, it is considered appropriate to allow the prayer made by the petitioner seeking quashing of the FIR in question.

In view thereof, the FIR No.43/2014, under Sections 354/354B/354D/509/506 IPC, 1860, Police Station Dabri and all consequential proceedings emanating therefrom are thus quashed.

The petition is disposed of.

ANU MALHOTRA, J

JANUARY 22, 2018/sv

IN THE HIGH COURT OF DELHI: NEW DELHI

Item No. 77

Crl. M.C. No.317/2018

ASHISH SINGHAL Vs. STATE & ANR.

22.01.2018

**CW-1 Statement of SI DEVENDER, POLICE STATION DABRI
On S.A.**

I identify the petitioner, namely, Ashish Singhal present in Court today as being the sole accused of the FIR No.43/2014, under Sections 354/354B/354D/509/506 IPC, 1860, Police Station Dabri, and I also identify Ms.X and the spouse of the respondent No.2 as being the complainant of the FIR No.43/2014, under Sections 354/ 354B/ 354D/ 509/ 506 IPC, 1860, Police Station Dabri. The original Aadhaar Card of the petitioner bearing No.992398691962, has been produced, the photocopy of the same qua the petitioner is Ex.CW-1/A.

**RO & AC
22.01.2018**

ANU MALHOTRA, J

IN THE HIGH COURT OF DELHI: NEW DELHI

Item No. 77

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ASHISH SINGHAL Vs. STATE & ANR.

22.01.2018

**CW-2 STATEMENT OF MS.X, W/O ANUJ GARG, AGED 24 YEARS,
R/O M-17, RAJAPURI, UTTAM NAGAR, DELHI PREVIOUSLY R/O
L-12, GALI NO.4, RAJAPURI, UTTAM NAGAR, DELHI.**

On S.A.

I have studied till standard 12th and I am a housewife.

I do not oppose the prayer made by the petitioner seeking quashing of the FIR No.43/2014, under Sections 354/354B/354D/509/506 IPC, 1860, Police Station Dabri.

My affidavit annexed to the petition bears my signatures thereon at points A and B on each page thereof on Ex.CW-2/A. The certified copy of the mediation settlement dated 17.11.2015 of the settlement arrived at between the petitioner and me at the Mediation Centre, Dwarka Courts, bears my signatures thereon at points 'A' on each page thereof as EX.CW-2/B which I have signed voluntarily of my own accord without any duress, pressure or coercion from any quarter.

I do not seek the petitioner to be punished in relation to the offences qua the FIR in question.

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

**RO & AC
22.01.2018**

ANU MALHOTRA, J