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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CRL.M.C. 835/2018**

**PRATIK SAGAR** ..... Petitioner  
Through: Mr.Kiran Aggarwal, Advocate

versus

**STATE & ANR** ..... Respondents  
Through: Mr. Kamal Kr. Ghei, APP for State  
with SI Sunita Maan, PS Hauz Khas  
Mr.Santosh Sati, Adv for R-2 with R-  
2 in person.

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

**ORDER**  
% **19.02.2018**

Vide the present petition, the petitioner seeks quashing of FIR No.1244/2016, Police Station Hauz Khas, under Section 354 Indian Penal Code, 1860 submitting to the effect that a settlement has been arrived at between the parties amicably.

The Investigating Officer is present in Court and has identified the petitioner as being the accused and the respondent No.2 as being the complainant of the FIR in relation to the FIR in question.

The respondent No.2, present in Court, on her examination on Oath, has affirmed having signed her affidavit (EX.CW-2/A) and also testified to the effect that the copy of her statement under Section 164 Cr.P.C. on the record bears her signatures. She has further testified to

the effect that both the documents have been signed by her voluntarily of her own accord without any duress, pressure or coercion from any quarter. She has also testified to the effect that she does not oppose the prayer made by the petitioner seeking quashing of the FIR and that she does not want the petitioner to be punished in relation thereto in view of the settlement arrived at between her and the petitioner, as though the acts of the petitioner were unintentional and also due to the unintentional erroneous signals communicated between the petitioner and the respondent No.2, the respondent No.2 is aged 31 years and has testified to the effect that she has a Diploma in Visual Communications and she works as a free lance Illustrator and Artist, there appears no reason to disbelieve the statement made by the respondent No.2 that she has arrived at a settlement with the petitioner voluntarily of my own accord without any duress, pressure or coercion from any quarter. It is also indicated further that the statement of the prosecutrix under Section 164 Cr.p.C. bears her signatures, the copy of which is on the record. The testimony of the respondent No.2 also indicates that she understands the impact of the statement made by her.

On behalf of the State there is no opposition to the prayer made by the petitioner seeking quashing of the FIR in question and all consequential proceedings emanating therefrom.

There is no reason to disbelieve the statement of the respondent No.2 that she has arrived at a settlement with the petitioner voluntarily in view of the settlement arrived at between her and the petitioner, it is considered appropriate to put a quietus to the litigation between the parties so that peace and harmony between them is

restored to allow the prayer made by the petitioner seeking quashing of the FIR No.1244/2016, Police Station Hauz Khas, under Section 354 Indian Penal Code, 1860 in question and all consequential proceedings emanating therefore and thus the FIR No.1244/2016, Police Station Hauz Khas, under Section 354 Indian Penal Code, 1860 and all consequential proceedings emanating therefrom against the petitioner are quashed

The petition is disposed of.

**ANU MALHOTRA, J**

**FEBRUARY 19, 2018/SV**

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

**Item No. 102**

**CrI. M.C. 835/2018**

**PRATIK SAGAR. Vs. STATE & ANR.**

**19.02.2018**

**CW-1 SI SUNITA MAAN POLICE STATION HAUZ KHAS  
ON S.A.**

I identify the petitioner as the accused and the prosecutrix i.e., respondent No.2 Ms.X, as being the complainant of the FIR No.1244/2016, under Sections 354 Indian Penal Code, 1860, Police Station Hauz Khas present in the Court today. The original Election Commission Identity Card of the petitioner bearing No.HMC0786921 has been produced the photocopy of the same qua the petitioner being Ex.CW-1/A . (Original seen & returned.).

**RO & AC  
19.02.2018**

**ANU MALHOTRA, J**

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

**Item No. 102**

**CrI. M.C. 835/2018**

**PRATIK SAGAR. Vs. STATE & ANR.**

**19.02.2018**

**CW-2 Ms.X (Prosecutrix), D/O VIKAS KUMAR MITTAL, R/O J-86, SARITA VIHAR, PREVIOUSLY R/O H. No.97-A, SHAHPUR JAT, DDA GROUND FLOOR, NEW DELHI PREVIOUSLY ON S.A.**

My affidavit annexed to the petition bears my signatures thereon at points A & B on EX.CW-2/A. The copy of my statement under Section 164 Cr.P.C also bears my signatures thereon at point A on Ex.CW-2/B. I have signed both these documents voluntarily of my own accord without any duress, coercion or pressure from any quarter. In view of the said settlement between me and the petitioner, I do not oppose the prayer made by the petitioner seeking quashing of the FIR No.1244/2016, under Sections 354 Indian Penal Code, 1860, Police Station Hauz Khas and I do not want the petitioner to be punished in relation thereto inasmuch as the matter between me and the petitioner has been settled as I felt that whatever was done by the petitioner was unintentional and also because of unintended wrong messages given by me. I work as a free lance Illustrator and Artist. I have done a Diploma in Visual Communications.

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

**RO & AC**  
**19.02.2018**

**ANU MALHOTRA, J**