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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 828/2018**

DEEPIKA ARORA @ DEEPA ARORA & ANR Petitioners
Through: Mr.Vijay Kinger, Advocate

versus

STATE (GOVT.OF NCT OF DELHI)&ANR Respondents
Through: Mr.Izhar Ahmad, APP for State with
SI Arun Ahlawat, PS Farsh Bazar

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **19.02.2018**

CrI.M.A. No. 3032/2018 (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.

CrI.M.C. 828/2018

Vide the present petition, the petitioners No.1 and 2, *namely*, Deepika Arora @ Deepa Arora and Nitin Arora seek quashing of FIR No.319/2015, under Sections 354/354-D/506/509/323/341/34 Indian Penal Code, 1860, Police Station Farsh Bazar submitting to the effect that a settlement has been arrived at between the parties.

The Investigating Officer of the case is present and has identified the petitioners No.1 and 2, *namely*, Deepika Arora @ Deepa Arora and Nitin Arora as being the accused and the prosecutrix Ms.X as being the complainant of the FIR in question whose proofs

of identity are on the record in the form of photocopies of Aadhar Card of the petitioner No.1 and the Election Commission Identity card of the petitioner No.2 and the Adhar card of the prosecutrix being EX.CW-1/A to EX.CW-1/C respectively. (Originals seen and returned).

The prosecutrix on her examination on Oath by the Court has affirmed having sworn her affidavit EX.CW-2/A and has also testified to the effect that she has signed the settlement document dated 1.2.2018 EX.CW-2/B voluntarily of my own accord without any duress, pressure or coercion from any quarter. She further testified that she has studied till 12th standard, *inter alia*, she has testified to the effect that she does not oppose the prayer made by the petitioners seeking quashing of the FIR nor does she want the petitioners to be punished in view of the settlement arrived at between the parties.

There appears no reason to disbelieve the statement made by the respondent No.2 that she has arrived at a settlement with the petitioners voluntarily of my own accord without any duress, pressure or coercion from any quarter.

On behalf of the State, there is no opposition to the prayer made by the petitioners seeking quashing of the FIR in view of the settlement arrived at between the parties.

In view of the deposition of the respondent No.2, for the well being of the respondent No.2 herself as apparently indicated by the memo of parties that the petitioners are her neighbours as also testified by the respondent No.2, for the well being of the respondent No.2 herself, it is considered appropriate to put a quietus to the litigation

between the parties to allow the prayer made by the petitioners seeking quashing of the FIR in question and all consequential proceedings emanating therefrom against the petitioners and thus the FIR No.319/2015, under Sections 354/354-D/506/509/323/341/34 Indian Penal Code, 1860, Police Station Farsh Bazar and all consequential proceedings emanating therefrom are quashed.

The petition is disposed of.

ANU MALHOTRA, J

FEBRUARY 19, 2018/SV

IN THE HIGH COURT OF DELHI: NEW DELHI

Item No. 100

CrI. M.C.828/2018

DEEPIKA ARORA @ DEEP ARORA & ORS. Vs. STATE & ANR.

19.02.2018

**CW-1 SI ARUN AHLAWAT, POLICE STATION FARSH BAZAR
ON S.A.**

I identify the petitioners No.1 and 2, *namely*, Deepika Arora @ Deepa Arora, and Nitin Arora, Present in the Court today and as being the accused and the prosecutrix Ms.X, as being the complainant of the FIR No.319/2015, under Sections 354/354-D/506/509/323/341/34 Indian Penal Code, 1860, Police Station Farsh Bazar present in the Court today. The original Aadhar Card of the petitioner No.1 bearing No. 626066004839, and the original Election Commission Identity Card of the petitioner No.2 AWX1078856, and the original Aadhar Card of the prosecutrix Ms. X have been produced. The photocopy of the same are EX.CW-1/A to Ex.CW-1/C respectively (Original seen & returned).

**RO & AC
19.02.2018**

ANU MALHOTRA, J

IN THE HIGH COURT OF DELHI: NEW DELHI

Item No. 100

Crl. M.C.828/2018

DEEPIKA ARORA @ DEEP ARORA & ORS. Vs. STATE & ANR.

19.02.2018

CW-2 Ms.X (Prosecutrix), D/O LATE SH. SANTOSH KUMAR, R/O H. No.40, SHRI RAM COLONY, GALI No.1, BHOLA NATH NAGAR ON S.A.

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

My affidavit annexed to the petition bears my signatures thereon at points A & B on EX.CW-2/A. The settlement document executed between the petitioners No.1 and 2 and myself bears my signatures 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 petitioners, I do not oppose the prayer made by the petitioners seeking quashing of the FIR No.319/2015, under Sections 354/354-D/506/509/323/341/34 Indian Penal Code, 1860, Police Station Farsh Bazar and I do not want any of the petitioners to be punished in relation thereto.

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