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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1782/2018 & CRL.M.A. 6390-6391/2018**
JAI KUNWAR GOEL & ANR Petitioner
Through Mr. Hariom, Adv. with petitioners in
person.
versus

THE STATE & ORS (NCT OF DLEHI) Respondent
Through Mr. Panna Lal Sharma, APP for State
with SI Virender PS KN Katju Marg.
R2 & R3 in person with Mr.
Ghanshyam Yadav, Adv.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
% **11.04.2018**

Vide the present petition, the petitioner no. 1 Jai Kunwar Goel and the petitioner no. 2 Manish Kumar seek quashing of FIR No. 543/16, registered at PS K.N. Katju Marg, under Section 354/509/506/323/34 of the Indian Penal Code, 1860 submitting to the effect that the matter has since been settled between the petitioners and the respondents no. 2 & 3 amicably due to the intervention of the respectable persons of the locality and there are no grievance left.

The Investigating Officer of the case has identified the petitioners as being the accused of the FIR in question and has also identified the respondents no. 2 & 3 as being the victims thereof on the basis of the proof of identity produced by them, which are on record as Ex.CW1/A to Ex.CW1/D, originals of which have been seen and returned.

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The respondents no.2 & 3 in their examination on oath by the Court have testified to having sworn their affidavits annexed to the petition as Ex.CW2/A & Ex.CW3/A respectively voluntarily of their own accord without any duress or coercion from any quarter. The respondents no. 2 & 3 have also testified that they are living in the same building in with the petitioners no. 1 & 2 are living in as much as the respondents no. 2 & 3 are living on the second floor and the petitioners no. 1 & 2 are living on the second floor in as much as the petitioners no. 1 & 2 have since apologized to the respondents no. 2 & 3. The petitioners no. 1 & 2 stated that they have also apologized to the respondents no. 2 & 3 and have undertaken not to misbehave with them in future.

Learned APP for the State submits that in the circumstances of the case, there is no opposition to the prayer made by the petitioners seeking quashing of the FIR in question in view of the settlement arrived at between the parties.

As the petitioners no. 1 & 2 and the respondents no. 2 & 3 are living in the same building and their disputes have since been resolved *inter se* amicably, for maintenance of peace and harmony between the petitioners and the respondents, it is considered essential to put *a quietus* to the litigation, it is considered appropriate to allow the prayer made by the petitioner seeking quashing of FIR No. 543/16, registered at PS K.N. Katju Marg, under Section 354/509/506/323/34 of the Indian Penal Code, 1860 and all the consequential proceedings emanating therefrom against the petitioner. In view thereof the FIR No. 543/16, registered at PS K.N. Katju

Marg, under Section 354/509/506/323/34 of the Indian Penal Code, 1860 and all the consequential proceedings emanating therefrom against the petitioner no. 1 Jai Kunwar Goel and the petitioner no. 2 Manish Kumar are quashed.

The petitioners no. 1 & 2 shall remain bound by their statements.

The petition is disposed of.

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JAI KUNWAR GOEL & ANR versus
THE STATE & ORS (NCT OF DLEHI)

Statement of CW1 : SI Virender Kumar, PS KN Katju Marg, Delhi.

ON S.A.

I identify the petitioner no. 1 Jai Kunwar Goel and the petitioner no. 2 Manish Kumar as being the persons named in the FIR No. 543/16, registered at PS K.N. Katju Marg, under Section 354/509/506/323/34 of the Indian Penal Code, 1860 on the basis of the documents produced by them. I also identify the respondents no. 2 & 3 as being the victims as per the said FIR. The proof of identity of the petitioners no. 1 & 2 and of the respondents no. 2 & 3 are on record in the form of photocopies produced by them as Ex.CW1/A to Ex.CW1/D (original seen and returned).

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JAI KUNWAR GOEL & ANR versus
THE STATE & ORS (NCT OF DLEHI)

Statement of CW2 : Ms. X w/o Sh. Amit Aggarwal, aged 37 years r/o D-3/109, Second Floor, Sector-16, Rohini, Delhi.

ON S.A.

My affidavit annexed to the petition bears my signature thereon at points-A and B on Ex.CW2/A. The compromise deed dated 05.04.2018 arrived at between me and the petitioners no. 1 & 2 along with the respondent no. 3, bears my signature thereon at point-A on Ex.CW2/B. I have signed both these documents voluntarily of my own accord without any duress, pressure or coercion from any quarter. The petitioners no. 1 & 2 have apologized to me. The petitioners no. 1 & 2 are living in the same building in which I am living. I do not oppose the prayer made by the petitioners seeking quashing of the FIR No. 543/16, registered at PS K.N. Katju Marg, under Section 354/509/506/323/34 of the Indian Penal Code, 1860 nor I do want the petitioners to be punished in relation thereto in view of the settlement arrived at between me and the petitioners. I am a graduate. I have made this statement voluntarily of my own accord without any duress, pressure or coercion from any quarter.

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JAI KUNWAR GOEL & ANR versus
THE STATE & ORS (NCT OF DLEHI)

Statement of CW3 : Ms. Y w/o Sh. Vijay Kumar, aged 60 years r/o D-3/109, Second Floor, Sector-16, Rohini, Delhi.

ON S.A.

My affidavit annexed to the petition bears my signature thereon at points-A and B on Ex.CW3/A. The compromise deed dated 05.04.2018 arrived at between me and the petitioners no. 1 & 2 along with the respondent no. 2, bears my signature thereon at points-B on Ex.CW2/B. I have signed both these documents voluntarily of my own accord without any duress, pressure or coercion from any quarter. The petitioners no. 1 & 2 have apologized to me. The petitioners no. 1 & 2 are living in the same building in which I am living. I do not oppose the prayer made by the petitioners seeking quashing of the FIR No. 543/16, registered at PS K.N. Katju Marg, under Section 354/509/506/323/34 of the Indian Penal Code, 1860 nor I do want the petitioners to be punished in relation thereto in view of the settlement arrived at between me and the petitioners. I have studied till intermediate. I have made this statement voluntarily of my own accord without any duress, pressure or coercion from any quarter.

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JAI KUNWAR GOEL & ANR versus
THE STATE & ORS (NCT OF DLEHI)

**Statement of CW4 : Jai Kunwar Goel s/o Sh. Rameshwar Dass Goel,
aged 61 years r/o D-3/109, Ground Floor, Sector-16, Rohini, Delhi.**

ON S.A.

I have apologized to the respondents no. 2 & 3 and I undertake not to misbehave with them in future.

**RO & AC
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JAI KUNWAR GOEL & ANR versus
THE STATE & ORS (NCT OF DLEHI)

**Statement of CW5 : Manish Kumar s/o Jai Kunwar Goel, aged 29 years
r/o D-3/109, Sector-16, Rohini, Delhi.**

ON S.A.

I have apologized to the respondents no. 2 & 3 and I undertake not to misbehave with them in future.

**RO & AC
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ANU MALHOTRA, J