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

+ CRL.M.C. 2143/2018

NARENDER KUMAR

..... Petitioner

Through: Mr. Dushyant Chaudhay, Advocate.

versus

STATE (NCT OF DELHI) & ANR

..... Respondent

Through: Mr. Kewal Singh Ahuja, APP for State
with SI Mintu Singh, PS Geeta Colony.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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25.04.2018

Vide the present petition, the petitioner seeks quashing of the FIR No. 286/12, PS Geeta Colony under Sections 509/354 of the Indian Penal Code, 1860 submitting to the effect that a settlement has been arrived at between the parties and that all the disputes between them have been resolved.

The Investigating Officer of the case is present today in the Court and has identified the petitioner as being the sole accused arrayed in the FIR No. 286/12, PS Geeta Colony under Sections 509/354 of the Indian Penal Code, 1860 and has also identified the respondent no. 2, Ms.X as being the complainant of the said FIR present today in the court. He has further stated that apart from the petitioner, there is no other person named as an accused

in the said FIR. The proofs of identity of the petitioner and of the

respondent no. 2 in the form of photocopies of their Aadhar Cards are on the record as Ex. CW1/A & Ex. CW2/B, originals of which have been seen and returned.

The respondent no. 2 in her testimony on oath on examination by the Court has affirmed having sworn her affidavit Ex. CW2/A annexed to the petition and has also testified having signed the settlement deed dated 21.04.2018, copy of which is on the record as Ex.CW2/B voluntarily of her own accord without any duress, coercion or pressure from any quarter. *Inter alia* the respondent no. 2 has stated that she does not oppose the prayer made by the petitioner seeking quashing of the FIR in question nor does she want him to be punished in relation thereto and has testified to the effect that she and the petitioner live in the same locality. She further testified to the effect that she is a graduate and a house wife and that in terms of the settlement Ex. CW2/B, she had already received a sum of Rs. 1,00,000/- from the petitioner.

On behalf of the State, there is no opposition to the prayer made by the petitioner seeking quashing of the FIR in question in view of the deposition of the respondent no. 2 that she has arrived at a settlement with the petitioner voluntarily and the factum that the petitioner and the respondent no. 2 are stated to be residents of the same locality, for maintenance of peace and harmony between the petitione and the respondent no. 2 and for the well being of the

respondent no. 2 herself, it is considered appropriate to put a quietus

to the litigation between the parties.

In view thereof, the FIR No. 286/12, PS Geeta Colony under Sections 509/354 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom are quashed.

The petition is disposed of.

ANU MALHOTRA, J

APRIL 25, 2018/NC

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Statement of CW1 : SI Mintu Singh, PS Geeta Colony.

ON S.A.

I identify the petitioner as being the sole accused arrayed in the FIR No. 286/12, PS Geeta Colony under Sections 509/354 of the Indian Penal Code, 1860 and I also identify the respondent no. 2, Ms.X as being the complainant of the said FIR present today in the court. Apart from the petitioner, there is no other person named as an accused in the FIR. The proof of identity of the petitioner and of the respondent no. 2 in the form of photocopies of their Aadhar Cards are on the record as Ex. CW1/A & Ex. CW2/B respectively. (Originals seen and returned).

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Statement of CW2 : Ms. X, w/o Narender @ Lovely Singh, age 32 years, r/o 117/4, Sarojini Naidu Park, Shashtri Park, Delhi.

ON S.A.

My affidavit annexed to the petition bears my signatures thereon at points A, B & C on Ex. CW2/A. The settlement deed dated 21.04.2018 bears my signatures thereon at point A on each page thereof on Ex. CW2/B. I have signed both these documents voluntarily of my own accord without any duress, coercion or pressure from any quarter.

I do not oppose the prayer made by the petitioner seeking quashing of the FIR No. 286/12, PS Geeta Colony under Sections 509/354 of the Indian Penal Code, 1860 in view of the settlement arrived at between me and the petitioner nor do I want him to be punished in relation thereto.

I have received a sum of Rs. 1,00,000/- previously in terms of the settlement deed dated 21.04.2018. I am a graduate and a house wife. The petitioner is a resident of the same locality where I live.

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

**RO & AC
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ANU MALHOTRA, J