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

+ **CRL.M.C. 2298/2018 & CRL.M.A. 8171/2018**

SHRI DILWAR SINGH

..... Petitioner

Through: Mr. Tarun Kr. & mr. Azad Singh,
Advts.

versus

THE STATE & ANR

..... Respondent

Through: Mr. Kewal Singh Ahuja, APP for
State with SI Rahul, PS Seemapuri.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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02.05.2018

Vide the present petition, the petitioner seeks quashing of FIR No.554/2014, registered at PS Seemapuri, under Sections 323/354/354A/506 Indian Penal Code, 1860 and all consequential proceedings emanating therefrom submitting to the effect that a settlement has since been arrived at between the parties.

The Investigating Officer of the case present today in Court has identified the petitioner Shri Dilwar Singh, s/o Shri Ramswarup Singh as being the sole accused arrayed in FIR No.554/2014, registered at PS Seemapuri, under Sections 323/354/354A/506 Indian Penal Code, 1860 and has also identified the respondent no.2 Ms. X present today in Court as being the complainant thereof. The proofs of identity of the petitioner in the form of photocopy of his Aadhar Card is on the record as Ex. CW1/A. The respondent no.2 has produced her original Driving Licence, photocopy of which be placed on record. (Originals seen and returned.)

The respondent no.2 in her deposition on examination on oath by the Court has affirmed having sworn her affidavit annexed to the petition as Ex.CW2/A and has stated that she knew the petitioner prior to this incident as he was the friend of her spouse. She further stated that she does not oppose the prayer made by the petitioner seeking quashing of the FIR in question nor does she want the petitioner to be punished in relation thereto in view of the settlement of a long-standing dispute between her and the petitioner qua which the FIR is indicated to have been registered. She further stated that she is a graduate and a house wife and she has made her statement voluntarily of her own accord without any duress, pressure or coercion from any quarter.

Learned APP for the State submits that in the circumstances of the case, there is no opposition to the prayer made by the petitioner seeking quashing of the FIR in question.

Taking into account the deposition of the respondent no.2, there appears no reason to disbelieve her statement that she has arrived at a settlement with the petitioner voluntarily of her own accord without any duress, coercion or pressure from any quarter, for well being of the respondent no.2 herself, for maintenance of peace and harmony between the petitioner and the respondent no.2, it is considered appropriate to put a quietus to the litigation between them, the FIR No.554/2014, registered at PS Seemapuri, under Sections 323/354/354A/506 Indian Penal Code, 1860 and all the consequential proceedings emanating therefrom against the petitioner are quashed.

ANU MALHOTRA, J

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SHRI DILWAR SINGH

Vs. THE STATE & ANR

Statement of CW1 : SI Rahul, PS Seemapuri, Delhi.

ON S.A.

I identify the petitioner Shri Dilawar Singh, s/o Shri Ramswarup Singh as being the sole accused arrayed in FIR No.554/2014, registered at PS Seemapuri, under Sections 323/354/354A/506 Indian Penal Code, 1860. I also identify the respondent no.2 Ms. X present today in Court as being the complainant thereof. The proofs of identity of the petitioner in the form of photocopy of his Aadhar Card is on the record as Ex. CW1/A. The respondent no.2 has produced her original Driving Licence, photocopy of which be placed on record. (Originals seen and returned.)

There is no other person arrayed as accused in the said FIR.

ANU MALHOTRA, J

RO & AC

MAY 02, 2018

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CRL.M.C. 2298/2018

SHRI DILWAR SINGH

Vs. THE STATE & ANR

Statement of CW2 : Ms.X, d/o Shri Sanjeev Sharma, aged 34 years, r/o A-36/5, Sector-5, Vaishali and previously r/o B-57, 3rd Floor, Jhilmil Colony, Vivek Vihar, Delhi.

ON S.A.

I have brought my original Driving Licence, copy of which be placed on record.

My affidavit annexed to the petition bears my signature thereon at points-A & B on Ex.CW2/A. which I have signed voluntarily of my own accord without any duress, pressure or coercion from any quarter. The petitioner is a friend of my husband and I knew her prior to this incident.

A settlement has been arrived at between me and the petitioner in relation to a long-standing dispute qua which the present FIR had been registered. I do not oppose the prayer made by the petitioner seeking quashing of the FIR No.554/2014, registered at PS Seemapuri, under Sections 323/354/354A/506 Indian Penal Code, 1860 nor do I want the petitioner to be punished in relation thereto in view of the settlement arrived at between me and the petitioner.

I am a graduate and a house wife.

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

ANU MALHOTRA, J

RO & AC

MAY 02, 2018