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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CRL.M.C. 3102/2018 & CRL.M.A. 10880-10881/2018**

**RAJAN SAREEN** ..... Petitioner  
Through: Mr. Aishwarya Rao, Advocate.  
versus

**STATE & OTHERS** ..... Respondent  
Through: Mr. Izhar Ahmad, APP for State with  
W/SI Prabha, PS Prasad Nagar.  
R-2 in person with Mr. Chirag  
Khurana, Adv for R-2.

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

**ORDER**  
% **30.05.2018**

Mr. Chirag Khurana, Advocate present on behalf of the respondent no. 2 submits that he would be filing his vakalatnama during the course of the day. The same be filed accordingly.

Vide the present petition, the petitioner seeks quashing of the FIR No. 295/14, PS Prasad Nagar under Sections 354/354(A)(1)/509/511 of the Indian Penal Code, 1860 submitting to the effect that a settlement has been arrived at between the parties and all the disputes between the parties have been amicably resolved.

The Investigating Officer of the case present has identified the petitioner Rajan Sareen as being the sole accused arrayed in the FIR No. 295/14, PS Prasad Nagar under Sections 354/354(A)(1)/509/511

of the Indian Penal Code, 1860. He has also identified the respondent no. 2, Ms. X as being the complainant of the said FIR. The respondent no. 2 has produced his original Aadhar Card, photocopy the same is directed to be placed on the record. The proof of identify of the petitioner in the form of photocopy of his Aadhar Card is on the record as Ex.CW1/A, original of which have been seen and returned.

The respondent no. 2 in her examination on oath by the Court has affirmed having signed the memorandum of settlement dated 19.05.2018 executed between her and the petitioner which bears her signatures at point A on Ex.CW2/A and she has also affirmed having signed her affidavit annexed to the petition Ex. CW2/B voluntarily of her own accord without any duress, coercion or pressure from any quarter. She further states that she seeks peace of mind and thus does not oppose the prayer made by the petitioner seeking quashing of the FIR No. 295/14, PS Prasad Nagar under Sections 354/354(A)(1)/509/511 of the Indian Penal Code, 1860. She further states that she has done her M.B.A. and she further states that she used to work previously and now she is a home maker.

In terms of the settlement Ex.CW2/A arrived at between the parties, it was considered essential to examine the petitioner who is thus examined by the Court on oath as CW-3 and he had testified in his testimony to the effect that he undertakes to abide by the terms of the memorandum of settlement dated 19.05.2018, i.e., Ex. CW2/A vide clause 2 thereof, he has undertaken to withdraw the Civil Suit Case No.730/14 which is pending before the Court of Sh. Balvinder

Singh, Civil Judge for the date 06.07.2018. The petitioner, i.e., CW-3 has also affirmed having sworn his affidavit Ex. CW3/A annexed to the petition.

On behalf of the State, there is no opposition to the prayer made by the petitioner seeking quashing of the FIR in question. In the circumstances of the case, in view of the deposition of the respondent no. 2 that she is apparently well educated and capable of understanding the implications of the statement made by her, it is considered appropriate to allow the prayer made by the petitioner as she wants peace of mind. In view thereof, there appears no reason to disbelieve her statement and taking into account the undertaking given by the petitioner also, it is considered appropriate to put a quietus to the litigation between the parties.

In view thereof, the FIR No. 295/14, PS Prasad Nagar under Sections 354/354(A)(1)/509/511 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom against the petitioner are quashed.

The petition is disposed of.

Copy of the order be given *dasti*, as prayed.

**ANU MALHOTRA, J**

**MAY 30, 2018**  
**NC**

114  
CRL.M.C. 3102/2018  
RAJAN SAREEN  
Vs. STATE & ANR

**Statement of CW1 : SI Prabha, PS Prasad Nagar, Delhi.**

**ON S.A.**

I identify the petitioner Rajan Sareen as being the sole accused arrayed in the FIR No. 295/14, PS Prasad Nagar under Sections 354/354(A)(1)/509/511 of the Indian Penal Code, 1860. I also identify the respondent no. 2, Ms. X as being the complainant of the said FIR. The respondent no. 2 has produced his original Aadhar Card, photocopy of which be placed on the record. The proof of identify of the petitioner in the form of photocopy of his Aadhar Card is on the record as Ex.CW1/A. (Original seen and returned.)

**ANU MALHOTRA, J**

**RO & AC  
MAY 30, 2018**

114

CRL.M.C. 3102/2018

RAJAN SAREEN

Vs. STATE & ANR

**Statement of CW2 : Ms. X, W/o Tarun Chawla, age 33 years, r/o Khasra no.122/25/1/1, Chawla House no. 9, Main Market, Sant Nagar, New Delhi.**

**ON S.A.**

I do not oppose the prayer made by the petitioners seeking quashing of the FIR No. 295/14, PS Prasad Nagar under Sections 354/354(A)(1)/509/511 of the Indian Penal Code, 1860 nor do I want him to be punished in relation thereto as I want peace of mind.

The memorandum of settlement dated 19.05.2018 executed between me and the petitioner bears my signatures at point A on Ex.CW2/A. My affidavit annexed to the petition bears my signatures at points A & B 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 have done my M.B.A. I used to work previously and now I am a home maker.

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

**ANU MALHOTRA, J**

**RO & AC**

**MAY 30, 2018**

CRL.M.C. 3102/2018  
RAJAN SAREEN  
Vs. STATE & ANR

**Statement of CW3 : Mr. Rajan Sareen, s/o T.R. Sareen, age 45 years,  
r/o 30/18, West Patel Nagar, New Delhi.**

**ON S.A.**

The memorandum of settlement dated 19.05.2018 executed between me and the respondent no. 2 bears my signatures at point B on Ex.CW2/A. My affidavit annexed to the petition bears my signatures at points A & B on Ex.CW3/A. I have signed both these documents voluntarily of my own accord without any duress, coercion or pressure from any quarter.

I undertake to abide by the terms of the settlement and withdraw the Civil Suit Case No.730/14 which is pending before the Court of Sh. Balvinder Singh, Civil Judge for the date 06.07.2018.

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

**ANU MALHOTRA, J**

**RO & AC  
MAY 30, 2018**