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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2984/2018 & CRL.M.A. 10522/2018**

ASHOK SAHNI Petitioner
Through: Petitioner in person.

versus

STATE (NCT OF DELHI) & ANR Respondent
Through: Mr. Izhar Ahmad, APP for State with
SI Mehrab Alam, PS Nabi Karim.
R-2 in person.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
% **28.05.2018**

Vide the present petition, the petitioner seeks quashing of the FIR No.282/2007, registered at PS Nabi Karim, under Sections 451/380/323/506/356/34 Indian Penal Code, 1860 submitting to the effect that a settlement has since been arrived at between the petitioner and the respondent no. 2.

The Investigating Officer of the case present has identified the petitioner Ashok Sahni as being one of the accused arrayed in FIR No.282/2007, registered at PS Nabi Karim, under Sections 451/380/323/506/356/34 Indian Penal Code, 1860. He has also identified the respondent no.2 Mr. Lokendra Singh present today in Court as being the complainant thereof. He has further testified to the effect that one of the accused Pawan Kumar had already been

discharged and the proceedings qua Pradeep Kapoor and Ashok Kapoor have already been quashed vide orders dated 02.09.2015 in CRL.M.C.3314/15 and order dated 24.10.2017 in CRL.M.C.4680/16 respectively of this Court in view of the settlement arrived at between the parties. The proofs of identity of the petitioner and of the respondent no. 2 in the form of photocopies of Aadhar Card and Driving Licence are on the record as Ex. CW1/A & Ex. CW1/B respectively, originals of which have been seen and returned.

The respondent no. 2 in his examination on oath by this Court has affirmed having sworn his affidavit Ex. CW2/A annexed to the petition in support of the averments made in the petition and states that she does not oppose the prayer made by the petitioner seeking quashing of the FIR in question nor does he want him to be punished in relation thereto in view of the settlement arrived at between the parties. *Inter alia* he states that he would have no opposition to the prayer to the quashing of the FIR even against one Sanjeev Sood. The respondent no. 2 further states that one of the accused Pawan Kumar had already been discharged and the proceedings qua Pradeep Kapoor and Ashok Kapoor have already been quashed vide orders dated 02.09.2015 in CRL.M.C.3314/15 and order dated 24.10.2017 in CRL.M.C.4680/16 of this Court and has testified to the effect that he has done his graduation and deals in computers There appears no reason to disbelieve the statement of the respondent no.2 that he has arrived at a settlement with the petitioner voluntarily of his own accord without any duress, coercion or pressure from any quarter.

In view thereof, the FIR No. 282/2007, registered at PS Nabi Karim, under Sections 451/380/323/506/356/34 Indian Penal Code, 1860 and all the consequential proceedings emanating therefrom against the petitioner alone are thus quashed.

The petition is disposed of.

ANU MALHOTRA, J

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CRL.M.C. 2984/2018

ASHOK SAHNI

Vs. STATE & ANR

Statement of CW1 : SI Mehtab Alam, PS Nabi Karim, Delhi.

ON S.A.

I identify the petitioner Ashok Sahni as being one of the accused arrayed in FIR No.282/2007, registered at PS Nabi Karim, under Sections 451/380/323/506/356/34 Indian Penal Code, 1860. I also identify the respondent no.2 Mr. Lokendra Singh present today in Court as being the complainant thereof. One of the accused Pawan Kumar had been discharged and the proceedings qua Pradeep Kapoor and Ashok Kapoor have already been quashed vide orders dated 02.09.2015 in CRL.M.C.3314/15 and order dated 24.10.2017 in CRL.M.C.4680/16 of this Court.

The proofs of identity of the petitioner and of the respondent no. 2 in the form of photocopies of Aadhar Card and Driving Licence are on the record as Ex. CW1/A & Ex. CW1/B respectively. (Originals seen and returned.)

ANU MALHOTRA, J

RO & AC

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CRL.M.C. 2984/2018

ASHOK SAHNI

Vs. STATE & ANR

Statement of CW2 : Mr. Lokendra Singh, s/o Shri Devender Singh Raghuvanshi, aged 42 years, r/o 2/188, Mohan Nagar, 34 Gwalior.

ON S.A.

The address mentioned hereinabove is my permanent address and I used to reside at rent in Delhi at the address, i.e., 7350,7351 Aram Nagar, Qutub Road, Delhi.

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, coercion or pressure from any quarter. I do not oppose the prayer made by Ashok Sahni seeking quashing of the FIR No.282/2007, registered at PS Nabi Karim, under Sections 451/380/323/506/356/34 Indian Penal Code, 1860 nor do I want him to be punished in relation thereto in view of the settlement arrived at between me and the petitioner. The very same FIR has already been quashed against Pradeep Kapoor and Ashok Kapoor as indicated vide proceedings dated 24.10.2017 of this Court in CRL.M.C.4680/16 against the accused Ashok Kapoor and has been quashed in relation to Pradeep Kapoor vide order dated 02.09.2015 in CRL.M.C.3314/15.

I would have no opposition to the quashing of the FIR even against one Sanjeev Sood. One of the accused Pawan Kumar had been discharged and the proceedings qua Pradeep Kapoor and Ashok Kapoor have already been quashed vide orders dated 02.09.2015 in CRL.M.C.3314/15 and order

dated 24.10.2017 in CRL.M.C.4680/16 of this Court.

I have done my graduation and deal in computers.

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 28, 2018