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

+ CRL.M.C. 3897/2016

RAMESH SHARMA & ANR.

..... Petitioner

Through Mr. Kundan Kumar, Adv. with
petitioners in person.

versus

STATE &ORS.

..... Respondent

Through Mr. Raghuvinder Varma, APP for
State with ASI Asmita PS Najafgarh.
R2 in person.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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12.03.2018

Vide the present petition, the petitioner no. 1 Kartikey and the petitioner no. 2 Vijay Kumar Sharma Rajeev Rana seek quashing of the FIR No. 1082/14, registered at PS Najafgarh against whom the cognizance was taken by the learned Court of MM (Mahila Court)-03, Dwarka Courts, New Delhi and charges were framed vide order dated 13.10.2015 of the learned Court of MM (Mahila Court)-03, Dwarka Courts, New Delhi qua FIR No. 1082/14, registered at PS Najafgarh, under Sections 354/354A/509 of the Indian Penal Code, 1860 and under Sections 354/323 of the Indian Penal Code, 1860 respectively submitting to the effect that a settlement has been arrived at between the petitioners and the respondent no. 2 and no useful purpose would be served by continuing the matter.

The Investigating Officer has identified the petitioner no. 1 Ramesh
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Sharma s/o Late Sh. Harbans Lal Sharma and the petitioner no. 2 Lakhan Pal Singh s/o Late Sh. Chandar Dev Singh as being the accused of the FIR in question and has submitted qua the other accused Ramesh Chander Madan that he was discharged vide order dated 13.10.2015 of the learned Court of MM (Mahila Court)-03, Dwarka Courts, New Delhi qua the alleged commission of offences punishable under Section 354/354A/509 of the Indian Penal Code, 1860.

The respondent no. 2 as was submitted by her on 18.01.2018 in reply to the specific Court query has submitted that a settlement has been arrived at between the parties and has stated that she does not seek to file any reply to the petition.

The respondent no. 2 as was stated by her on 18.01.2018 affirms the settlement arrived at with the petitioners and as submitted that she does not seek to file any reply to the petition as was stated by her during the proceedings of 28.03.2017. She has further stated to the effect that she is well educated and has done M.A. B.Ed and work as an Educationist and does not seek to continue with the proceedings any further due to her personal reasons.

Learned APP for the State also in the circumstances of the case does not oppose the prayer made by the petitioners seeking quashing of the FIR in question in view of the settlement arrived at between the parties.

In view of the deposition of the respondent no. 2, her age, her level of education and the factum that she works as an Educationist and the factum brought forth through the course of the proceedings dated 21.07.2016 also

before the learned LMM Court that the talks for settlement were in progress which have resulted into a settlement as brought forth through the testimony of the respondent no. 2, for the well being of the respondent no. 2 herself, it is considered appropriate to put *a quietus* to the litigation for maintenance of peace and harmony between the petitioners and the respondent no. 2. In view thereof, the FIR No. 1082/14, registered at PS Najafgarh with charges against the petitioner no. 1 Ramesh Sharma s/o Late Sh. Harbans Lal Sharma under Sections 354/354A/509 of the Indian Penal Code, 1860 and FIR No. 1082/14, registered at PS Najafgarh with charges against the petitioner no. 2 Lakhan Pal Singh s/o Late Sh. Chandar Dev Singh under Section 354/354A/509 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom are quashed.

The petition is disposed of.

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

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RAMESH SHARMA & ANR. Versus STATE & ORS.

Statement of CW1 : ASI Asmita, PS Najafgarh New Delhi.

ON S.A.

I identify the petitioner no. 1 Ramesh Sharma s/o Late Sh. Harbans Lal Sharma and the petitioner no. 2 Lakhan Pal Singh s/o Late Sh. Chandar Dev Singh as being the accused of the FIR No. 1082/14, registered at PS Najafgarh against whom the cognizance was taken by the learned Court of MM (Mahila Court)-03, Dwarka Courts, New Delhi and charges were framed vide order dated 13.10.2015 of the learned Court of MM (Mahila Court)-03, Dwarka Courts, New Delhi qua FIR No. 1082/14, registered at PS Najafgarh, under Sections 354/354A/509 of the Indian Penal Code, 1860 and under Sections 354/323 of the Indian Penal Code, 1860 respectively.

Accused Ramesh Chander Madan was discharged vide order dated 13.10.2015 of the learned Court of MM (Mahila Court)-03, Dwarka Courts, New Delhi for the offences punishable under Section 354/354A/509 of the Indian Penal Code, 1860.

I also identify the prosecutrix / the respondent no. 2 Ms. X present today in the court i.e. the complainant of the said FIR. The proof of the identity of the petitioners no. 1 & 2 and of the respondent no. 2 produced in original and the photocopies of the documents produced by them are Ex. CW1/A to Ex. CW1/C respectively (original seen and returned).

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Statement of CW2 : Ms. X w/o Mr. Manjeet Singh, aged 53 years r/o Z-1/61, Second Floor, Old Mahavir Nagar, New Delhi.

ON S.A.

My affidavit annexed to the petition bears my signature thereon at points-A and B on Ex.CW2/A, which I have signed voluntarily of my own accord without any duress or coercion from any quarter. I do not oppose the prayer made by the petitioners seeking quashing of the FIR No. 1082/14, registered at PS Najafgarh with charges against the petitioner no. 1 Ramesh Sharma s/o Late Sh. Harbans Lal Sharma under Sections 354/354A/509 of the Indian Penal Code, 1860 and FIR No. 1082/14, registered at PS Najafgarh with charges against the petitioner no. 2 Lakhan Pal Singh s/o Late Sh. Chandar Dev Singh under Section 354/354A/509 of the Indian Penal Code, 1860 due to my personal reasons. I am M.A. B.Ed and work as an Educationist. I do not seek to file any reply to the petition as desired by me as recorded vide order dated 28.03.2017 that I then sought to file a reply. I have made this statement voluntarily of my own accord without any, pressure, duress or coercion from any quarter.

**RO & AC
MARCH 12, 2018/MK**

ANU MALHOTRA, J