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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 5269/2017 and CrI.M.A. No.20699/2017
MAAN SINGH Petitioner
Through: Mr. Charanjeet, Adv.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondent
Through: Mr. Sanjeev Sabharwal, APP for
State with SI Anurag, PS Mehrauli.
R-2 in person.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
13.02.2018

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Vide the present petition, the petitioner seeks quashing of FIR No.276/2013, registered at PS Mehrauli, under Sections 509/354/323 Indian Penal Code, 1860 and all consequential proceedings emanating therefrom submitting to the effect that the petitioner and the respondent no.2 have arrived at a settlement. In terms of the said settlement arrived at the Mediation Centre, Saket Courts, New Delhi on 03.02.2016, all disputes between the petitioner and the respondent no.2 have since been amicably settled.

The Investigating Officer of the case present today in Court has identified the petitioner Shri Maan Singh, s/o Shri Durga Singh as being the sole accused arrayed in FIR No.276/2013, registered at PS Mehrauli, under Sections 509/354/323 Indian Penal Code, 1860 and has also identified the respondent no.2 present today in Court as being the complainant thereof on the basis of documents produced by them in the form of their original Aadhar Cards, copies of which are on the record as Ex. CW1/A and Ex.

CW1/B respectively, originals of which have been seen and returned.

The respondent no.2 in her examination on oath by the Court has testified to having sworn her affidavit annexed to the petition as Ex.CW2/A and has further testified to the effect that she has also signed the mediation settlement dated 03.02.2016 arrived at the Mediation Centre, Saket Courts, New Delhi, copy of which is on the record as Ex. CW2/C and the compromise deed executed between herself and the petitioner dated 15.11.2017 (Ex. CW2/B) voluntarily of her own accord without any duress or coercion from any quarter. The respondent no.2 has further testified to the effect that she is an M.A. and that the petitioner has since apologized to her and has improved his behaviour and has small children and that he is her neighbour, thus she does not oppose the prayer made by the petitioner seeking quashing of FIR in question.

The petitioner also in his examination by the Court on oath has affirmed having signed the compromise deed (Ex. CW2/B) and the mediation settlement (Ex. CW2/C) and has undertaken to abide by the terms thereof and stated that there would be no mistake in future and he would not harass the respondent no.2 in any manner.

Learned APP for the State submits that in view of the circumstances of the case as put forth in the petition and in the deposition of the respondent no.2, 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 being no reason to disbelieve her statement that she has made her statement voluntarily of her own accord without any duress, coercion or pressure from any quarter as affirmed by the respondent no.2 in her statement and the factum that she is an educated Post-Graduate coupled with the deposition

of the respondent no.2 to the effect that the petitioner has since improved his behaviour and is a neighbour of hers and also taking into account the statement of the petitioner to the effect that he will abide by the terms of the compromise deed Ex. CW2/B and the terms of the mediation settlement Ex. CW2/C, for the well-being of the respondent no.2 and for maintenance of peace and harmony between the petitioner and the respondent no.2 who are apparently neighbours as testified by the respondent no.2 and as brought forth through the Memo of Parties on the record, it is considered appropriate to put a quietus to the litigation between the petitioner and the respondent no.2.

In view thereof the petition is allowed and the FIR No.276/2013, registered at PS Mehrauli, under Sections 509/354/323 Indian Penal Code, 1860 and all the consequential proceedings emanating therefrom against the petitioner Mr. Maan Singh are quashed.

ANU MALHOTRA, J

FEBRUARY 13, 2018

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CRL.M.C. 5269/2017

MAAN SINGH

Vs. STATE (GOVT OF NCT OF DELHI) & ANR.

Statement of CW1 : SI Anurag, PS Mehrauli, Delhi.

ON S.A.

I identify the petitioner Shri Maan Singh, s/o Shri Durga Singh as being the sole accused arrayed in FIR No.276/2013, registered at PS Mehrauli, under Sections 509/354/323 Indian Penal Code, 1860 and also indentify the respondent no.2 Ms. X present today in Court as being the complainant thereof on the basis of documents produced by them i.e. their original Aadhar Card, copy of which are on the record as Ex. CW1/A and Ex. CW1/B respectively.

Apart from the petitioner no.1 there is no other person arrayed as accused in the FIR in question.

ANU MALHOTRA, J

RO & AC

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CRL.M.C. 5269/2017

MAAN SINGH

Vs. STATE (GOVT OF NCT OF DELHI) & ANR.

**Statement of CW2 : Ms. X, w/o Shri Harish Mehta, aged 34 years, r/o B-10, Ward No.2, Garwal Colony, Mehrauli, New Delhi.
ON S.A.**

A settlement has been arrived at between me and the petitioner. I got registered the FIR No.276/2013 at PS Mehrauli, under Sections 509/354/323 Indian Penal Code, 1860.

My affidavit annexed to the petition bears my signature thereon at points-A & B on Ex.CW2/A. A compromise deed annexed to the petition bears my signature thereon at point-A on Ex. CW2/B. The copy of Mediation Settlement dated 03.02.2016 arrived at between me and the petitioner at the Mediation Centre, Saket Courts, New Delhi bears my signatures thereon at point-A on each page thereof on Ex. CW2/C. I have signed all these documents voluntarily of my own accord without any duress, pressure or coercion from any quarter.which

After the incident, the petitioner has apologized to me and his behaviour has improved and he has small children and he is my neighbour and thus I do not oppose the prayer made by the petitioner seeking quashing of the FIR in question nor do I want the petitioner to be punished in relation thereto.

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

ANU MALHOTRA, J

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CRL.M.C. 5269/2017

MAAN SINGH

Vs. STATE (GOVT OF NCT OF DELHI) & ANR.

Statement of CW3 : Shri Maan Singh, s/o Shri Durga Singh, age 32 years, r/o B-4, Ward No.2, Mehrauli, New Delhi.

On S.A.

I undertake to abide by the terms of the compromise deed Ex. CW2/B which bears my signature thereon at point-B and I also undertake to abide by the terms of the mediation settlement, copy of which is CW2/C dated 03.02.2016 which bears my signatures thereon at point-B thereof and I undertake not to commit any mistake in future and not to harrass the respondent no.2 in any manner.

ANU MALHOTRA, J

**RO & AC
FEBRUARY 13, 2018**