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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 4840/2017

VICKY MAGGO

..... Petitioner

Through: Mr. Amulya Dhingra, Adv.

versus

THE STATE GOVT OF NCT OF DELHI & ANR..... Respondent

Through: Mr. Ashish Dutta, APP for State.

Mr. Manish Kaushik, Adv. for R-2
with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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15.01.2018

Vide the present petition, the petitioner seeks quashing of FIR No.412/2014, registered at PS Greater Kailash, under Sections 354-A/354-D/506/509 Indian Penal Code, 1860 and all consequential proceedings emanating therefrom submitting to the effect that there is a settlement arrived at between the petitioner and the respondent no.2.

The Investigating Officer of the case is present and has identified the petitioner as being the only accused in the said FIR and has also identified the respondent No.2 as being the complainant of the FIR in question present in the Court today.

The proofs of identity of the petitioner and of the respondent no. 2 in the form of photocopies of their Adhar Cards are on the record as Ex. CW1/A to Ex. CW1/B respectively (originals seen and returned).

The respondent no. 2 present today in Court has affirmed

having sworn her affidavit dated 28.10.2017 annexed to the petition in support of the petition voluntarily of her own accord and without any duress, coercion or pressure from any quarter.

The respondent no.2 in her examination on oath by the Court has testified to the effect that she does not oppose the prayer made by the petitioner seeking quashing of the FIR No.412/2014, registered at PS Greater Kailash, under Sections 354-A/354-D/506/509 Indian Penal Code, 1860 and nor does she want the petitioner to be punished in relation thereto and stated that she has arrived at a settlement with the petitioner in view of the intervention of well-wishers.

The respondent no.2 is educated and is an MBA and runs an NGO and a garments factory.

Learned APP for the State in the circumstances does not oppose the prayer made by the petitioner.

In view of the testimony made by the respondent no.2 that she is educated and an MBA and runs an NGO and a garments factory and as there appears no reason to disbelieve her statement that she has arrived at a settlement with the petitioner voluntarily of her own accord and without any duress, coercion or pressure from any quarter, taking into account the factum of the settlement arrived at between the respondent no. 2 and the petitioner and the statement of the respondent no.2 and that there has been no contact between the petitioner and the respondent no.2 since almost 2 years and for the well-being of the respondent no. 2 itself, it is considered appropriate to allow the prayer made by the petitioner seeking quashing of the said FIR and all proceedings emanating therefrom. In view thereof the

FIR No.412/2014, registered at PS Greater Kailash, under Sections 354-A/354-D/506/509 Indian Penal Code, 1860 and all the consequential proceedings emanating therefrom against the petitioner are quashed.

The petition is disposed of.

ANU MALHOTRA, J

JANUARY 15, 2018

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