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

+ **CRL.M.C. 842/2018 & CRL.M.A. 3079-3080/2018**

NEERAJ SHARMA

..... Petitioner

Through Ms. Shivani Lakhanpal, Ms. Sonal
Singh, Advs. for petitioner with
petitioner in person.

versus

STATE & ANR

..... Respondent

Through Mr. Kamal Kr. Ghei, APP for State
with SI Sachin, PS Amar Colony
R2 in person.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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19.02.2018

Vide the present petition, the petitioner Neeraj Sharma s/o Late Mr. Ved Prakash Sharma seeks quashing of the FIR No. 496/2015, registered at PS Amar Colony, under Sections 354D/506/509 of the Indian Penal Code, 1860 submitting *inter alia* to the effect that a mediation settlement dated 12.07.2017 has been arrived at between the parties at the Mediation Centre, Saket Courts, New Delhi and all the disputes between the petitioner and the respondent no. 2 have since been settled.

The Investigating Officer of the case has identified the petitioner Neeraj Sharma s/o Late Mr. Ved Prakash Sharma as being the accused in relation to the FIR No. 496/2015, registered at PS Amar Colony, under Sections 354D/506/509 of the Indian Penal Code, 1860. He has also identified the respondent no. 2 Ms. X present today in the court i.e. the

complainant of the FIR No. 496/2015, registered at PS Amar Colony, under Sections 354D/506/509 of the Indian Penal Code, 1860. Photocopy of the proof of identity in the form of Election Commission Identity Card of the petitioner is on record as Ex. CW1/A original of which has been seen and returned. The driving license has been produced by the respondent no. 2 in original, photocopy of the same be placed on record.

The respondent no. 2 on her examination by the Court on oath has testified to having sworn her affidavit as Ex.CW2/A and has also testified to having signed the mediation settlement dated 12.07.2017 at the Mediation Centre, Saket Courts, New Delhi and she has signed both these documents voluntarily of her own accord without any duress or coercion from any quarter. She has further testified to the effect that she does not want the petitioner to be punished nor does she have any opposition to the quashing of the FIR No. 496/2015, registered at PS Amar Colony, under Sections 354D/506/509 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom. She has stated that she is practicing as an advocate and she has done LLB and B.Com.

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 No. 496/2015, registered at PS Amar Colony, under Sections 354D/506/509 of the Indian Penal Code, 1860 also in view of the settlement arrived at between the parties.

In view of the deposition of the respondent no. 2 and as there appears no reason to disbelieve the statement made by the respondent no. 2 that she has arrived at the settlement voluntarily of her own accord without any

duress or coercion from any quarter and that the petitioner has apologized to her, thus to maintain peace and harmony between the parties, it is thus considered appropriate in the interest of justice that the prayer made by the petitioner seeking quashing of the FIR No. 496/2015, registered at PS Amar Colony, under Sections 354D/506/509 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom is allowed and thus the FIR No. 496/2015, registered at PS Amar Colony, under Sections 354D/506/509 of the Indian Penal Code, 1860 also and all consequential proceedings emanating therefrom against the petitioner Neeraj Sharma s/o Late Mr. Ved Prakash Sharma are quashed.

The petition is disposed of.

ANU MALHOTRA, J

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Statement of CW1 : SI Sachin, PS Amar Colony, Delhi.

ON S.A.

I identify the petitioner Neeraj Sharma s/o Late Mr. Ved Prakash Sharma as being the accused in relation to the FIR No. 496/2015, registered at PS Amar Colony, under Sections 354D/506/509 of the Indian Penal Code, 1860. I also identify the respondent no. 2 Ms. X present today in the court i.e. the complainant of the FIR No. 496/2015, registered at PS Amar Colony, under Sections 354D/506/509 of the Indian Penal Code, 1860. Photocopy of the proof of identity in the form of Election Commission Identity Card of the petitioner is on record as Ex. CW1/A (original seen and returned). The driving license has been produced by the respondent no. 2 in original, photocopy of the same be placed on record.

ANU MALHOTRA, J

RO & AC

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Statement of CW2 : Ms. X d/o Mr. Ram Maher Rathi, aged 29 years r/o 129/3, Ansari Road, Muzaffarnagar, UP

ON S.A.

My affidavit annexed to the petition bears my signature thereon at points-A and B on Ex.CW2/A. The mediation settlement dated 12.07.2017 at the Mediation Centre, Saket Courts, New Delhi bears my signatures thereon on each page thereof at points-A on Ex.CW2/B. I have signed both these documents voluntarily of my own accord without any duress or coercion from any quarter. I do not want the petitioner to be punished nor do I have any opposition to the quashing of the FIR No. 496/2015, registered at PS Amar Colony, under Sections 354D/506/509 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom. I am practicing as an advocate and I have done LLB and B.Com. I have made this statement voluntarily of my own accord without any duress or coercion from any quarter.

ANU MALHOTRA, J

RO & AC

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