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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 5649/2019 and CrI.M.A. No. 39705/2019
SHRI JAIDEV Petitioner

Through: Mr.Yogesh Rathee, Advocate
versus

STATE & ANR. Respondents
Through: Ms.Meenakshi Dahiya, APP for State
with SIRanbir Singh PS Nangloi
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **20.01.2020**

Vide the present petition, the petitioner seeks quashing of the FIR No.727/2014, PS Nangloi registered under Sections 354-A/323/452 of the Indian Penal Code, 1860 submitting to the effect that a settlement has been arrived at between the parties and no useful purpose would be served by the continuation of the proceedings in relation to the FIR in question.

The Investigating Officer of the case is present and has identified the petitioner as being the sole accused arrayed in the FIR in question. He has further identified the respondent No.2 as being the complainant of the said FIR.

Pursuant to proceedings dated 5.9.2019, the State has submitted the status report dated 11.12.2019 and 12.1.2020 under the signatures of the SHO PS Nangloi verifying the factum of a settlement arrived at between the parties. The respondent No.2 as per the status report dated 11.12.2019 during the proceedings under Section 164 Cr.P.C. did not corroborate the prosecution version. The said statement dated

13.10.2014 under Section 164 Cr.P.C of the prosecutrix copy of which is on the record as EX.CW-2/D is to the similar effect which indicates that the respondent No.2 had stated that she did not want to continue with the proceedings in relation to the FIR in question . To the similar effect is the statement made by the respondent No.2 today. She stated that she has since left the premises of the petitioner on 14.10.2014, the FIR in the instant case is indicated to have been registered on 12.10.2014. The respondent No.2 has further stated that she has signed her affidavit Ex.CW-2/B and the settlement arrived at between her and the petitioner at Ex.CW-2/C voluntarily of her own accord without any duress, pressure or coercion from any quarter.

In view of the statement made by the respondent No.2 there is no opposition on behalf of the State to the prayer made by the petitioner seeking quashing of the FIR in question.

In view of the statement made by the respondent No.2, for the well being of the respondent No.2 in as much as she had categorically stated that she had vacated the tenanted premises on 14.10.2014 and that there are now no problems between the respondent No.2 and the petitioner after the registration of the FIR, the proceedings in relation to FIR No.727/2014, PS Nangloi registered under Sections 354-A/323/452 of the Indian Penal Code, 1860 against the petitioner are thus quashed.

The petition is disposed of.

ANU MALHOTRA, J

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**CW-1 SI RANBIR SINGH POLICE STATION NANGLOI
ON S.A.**

I identify the petitioner as being the sole accused arrayed in FIR No.727/2014 PS Nangloi, registered under Sections 354-A/323/452 of the Indian Penal Code, 1860 present in the Court today. I also identify the respondent No.2 present in the Court today as being the complainant of the said FIR.

ANU MALHOTRA, J.

**RO & AC
20.1.2020**

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CW-2 SMT.PINKI W/O SHRI SURENDER R/O VILLAGE GARHI BALA, POST OFFICE BINDROLI, DISTT. SONEPAT, HARYANA ON S.A.

I have brought my original proof of identity i.e. Aadhar Card. The photocopy of the same is EX.CW-2/A.

My affidavit in support of the petition bears my signatures at point A & B on Ex.CW-2/B. A Settlement has since been arrived at between me and the petitioner on 4.9.2019, the same bears my signatures at point A on Ex.CW-2/C. I have signed these documents voluntarily of my own accord without any duress, pressure or coercion from any quarter. I have since vacated the tenanted premises of the petitioner on 14.10.2014 and the FIR was registered on 12.10.2014 in the instant case, in view of the settlement arrived at between me and the petitioner, I do not oppose the prayer made by the petitioner seeking quashing of the FIR No. 727/2014 PS Nangloi, registered under Sections 354-A/323/452 of the Indian Penal Code, 1860 . I have so stated also in my statement under Section 164 Cr.P.C. dated 13.10.2014 before the learned Metropolitan Magistrate concerned and the copy of my statement under Section 164 Cr.P.C. bears my signatures at pont A on Ex.XCW-2/D. In view of the settlement arrived at between me and the petitioner I do not want the petitioner to be punished in relation to the FIR in question. There are no problems between me and the petitioner after the registration of the FIR.

I have studied till 8th standard. I have made my statement after understanding the implications of the statement. I have made my statement voluntarily of my own accord without any duress, pressure or coercion from any quarter.

ANU MALHOTRA, J.

**RO & AC
201.2020**