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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 628/2020 & CRL.M.A. 2611/2020**
KUSHAL NAWRIA Petitioner
Through: Mr. Ranjan Kumar, Adv.

versus

STATE & ANR. Respondents
Through: Mr. Ashok Kr. Garg, APP for State
with SI Vinod, PS Tilak Nagar.
R-2 in person.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **05.02.2020**

CRL.M.A. 2611/2020 (Exemption)

Exemption allowed, subject to just exceptions.

CRL.M.C. 628/2020

Vide the present petition, the petitioner seeks quashing of the FIR No.502/2019, PS Tilak Nagar registered under Sections 323/354/354D 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 has identified the petitioner present today in Court as being the accused arrayed in the FIR in question and has also identified respondent no.2 present in Court today as being the complainant of the said FIR.

The respondent no.2 has produced her original proof of identity,

copy of which is on the record as Ex.CW/A. The respondent no.2 in her examination on oath by the Court has affirmed having signed her affidavit in response to the petition Ex.CW2/B and the memorandum of understanding dated 21.01.2020 Ex.CW2/C with its contents *inter alia* to the effect:

“Whereas, the first party and second party are just neighbour and residing at their above said respective address.

Whereas both the parties known to each other since their childhood and friendship between the parties.”

and states that she has no opposition to the prayer made by the petitioner seeking quashing of the FIR No.502/2019, PS Tilak Nagar registered under Sections 323/354/354D of the Indian Penal Code, 1860 nor does she want the petitioner to be punished in relation thereto and that she has so stated voluntarily. She has further stated that she has studied upto Standard XII and has understood the implications of her statement.

On a consideration of the averments made in the FIR, the factum of the petitioner and the respondent no.2 apparently being known to each other since four years, the contents of the memorandum of understanding adverted to hereinabove and the deposition of the respondent no.2 in as much as the petitioner and the respondent no.2 are residing in the same locality with the petitioner living at B-466, First Floor, Chaukhandi, Tilak Nagar, New Delhi and the respondent no.2 living at B-470, Chaukhandi, Tilak Nagar, New Delhi, it is considered appropriate to put a quietus to the litigation and

disputes between the parties for maintenance of peace and harmony between them as also for the well being of the respondent no.2, the FIR No.502/2019, PS Tilak Nagar registered under Sections 323/354/354D of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom against the petitioner are quashed.

The petition is disposed of.

ANU MALHOTRA, J

FEBRUARY 05, 2020

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IN THE HIGH COURT OF DELHI: NEW DELHI

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CRL.M.C. 628/2020

KUSHAL NAWRIA Vs. STATE & ANR.

05.02.2020

CW-1 SI Vinod Kumar, PS Tilak Nagar.

ON S.A.

I identify the petitioner Mr. Kushal Nawria as being the accused arrayed in the FIR No.502/2019, PS Tilak Nagar registered under Sections 323/354/354D of the Indian Penal Code, 1860 and I also identify the respondent no.2 Ms. Muskan @ Komal as being the complainant thereof.

RO & AC

05.02.2020

ANU MALHOTRA, J

IN THE HIGH COURT OF DELHI: NEW DELHI

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CRL.M.C. 628/2020

KUSHAL NAWRIA Vs. STATE & ANR.

05.02.2020

CW-2 Ms. Muskan @ Komal, d/o Mr. Madan Lal, aged 21 years, r/o B-470, Top Floor, Chaukhandi, Budh Bazar Road, Tilka Nagar, New Delhi.

On S.A.

I have brought my original proof of identity, copy of which is on the record as Ex.CW2/A. My affidavit bears my signatures thereon at points A & B thereon on Ex.CW2/B. The memorandum of understanding dated 21.01.2020 bears my signatures thereon as visible at point A on Ex.CW2/C. I have signed all these documents voluntarily of my own accord without any duress, coercion or pressure from any quarter.

I understand the contents of memorandum of understanding as mentioned therein, which reads to the effect:

*“Whereas, the first party and second party are just neighbour and residing at their above said respective address.
Whereas both the parties known to each other since their childhood and friendship between the parties.”*

In as much as the petitioner lives in the same locality where I live, I do not oppose the prayer made by the petitioner seeking quashing of the FIR No.502/2019, PS Tilak Nagar registered under Sections 323/354/354D of the Indian Penal Code, 1860 nor do I want the petitioner to be punished in relation thereto.

I have studied upto standard 12th.

I have made my statement after understanding its implications voluntarily of my own accord without any duress, coercion or pressure from any quarter.

RO & AC
05.02.2020

ANU MALHOTRA, J