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

+ **CRL.M.C. 752/2020**

SUJIT KUMAR SHARMA & ANR Petitioners
Through: Mr.Sanjay Kumar, Advocate

versus

THE STATE & ANR Respondents

Through: Mr.Kamal Kumar Ghai, APP for State
With SI Manisha, PS AmanVihar
Respondents No. 2 and 3 in person.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
% **11.02.2020**
CrI.M.A. No. 3080/2020

Exemption allowed, subject to just exceptions.

CrI.M.C.No. 752/2020

The petitioners vide the present petition seek quashing of FIR No.63/10 PS Aman Vihar, registered under Sections 324/34 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 has identified the petitioners No. 1 and 2, namely, Sujit Kumar Sharma and Naveen from the proofs of

their identity produced, as being the accused arrayed in FIR No.63/10 PS Aman Vihar, registered under Sections 324/34 of the Indian Penal Code, 1860 present in the Court today and has also identified the respondent No.2 present in the Court today as being the complainant of the said FIR and the respondent No.3 as being the person injured as per the averments in the FIR.

It has been submitted by the respondents No.2 and 3 in their deposition on oath on examination by the Court that they have sworn their affidavits EX.CW-2/B and EX.CW-2/C respectively, voluntarily of their own accord without any duress, pressure or coercion from any quarter and that they do not oppose the prayer made by the petitioners seeking quashing of the FIR in question registered in the year 2010 on the occasion of Holi in which there had been a minor altercation between them and the injuries were sustained by the respondent No.2 and 3 which as per the record of the petition and the averments made in the FIR as also the chargesheet, a copy of which is placed on record, were simple injuries caused by a sharp object.

On behalf of the State there is no objection to the prayer made by the petitioners seeking quashing the FIR in question in view of the deposition of the respondents No.2 and 3 and taking into account the averments made in the FIR which indicate that the scuffle and quarrel took place on the occasion of Holi between the parties and that there have been no problems now between the petitioners and the respondents No.2 and 3 for the last 10 years with the FIR having been registered in the year 2010. Thus, for maintenance of peace and harmony between the parties, it is considered appropriate to put a quietus to the litigation between the parties. The FIR No.63/10 PS Aman Vihar, registered

under Sections 324/34 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom are thus quashed.

The petition is disposed of.

Copy of the order be given Dasti, under the signatures of the Court Master, as prayed.

ANU MALHOTRA, J

FEBRUARY 11, 2020/sv

Item No. 85

CRL.M.C. 752/2020

SUJIT KUMAR SHARMA & ANR. V. STATE & ANR.

CW-1 SI MANISHA, PS AMAN VIHAR

ON S.A.

I identify the petitioners No. 1 and 2, namely, Sujit Kumar Sharma and Naveen from the proofs of their identity as being the accused arrayed in FIR No.63/10 PS Aman Vihar, registered under Sections 324/34 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

11.02.2020

Item No. 85

CRL.M.C. 752/2020

SUJIT KUMAR SHARMA & ANR. V. STATE & ANR.

**CW-2 MOHD. FARMAAN S/O SALIM R/O A-22/17, MANSA DEVI
MANDIR, PREM NAGAR-III, KIRARI SULEMAN NAGAR, DELHI.
AGED 32 YEARS
ON S.A.**

I have brought the original proof of identity, i.e., Aadhar card. The copy of the same is Ex.CW2/A.

My affidavit in support of the petition bears my signatures at points A & B, the same is EX.CW-2/B. I have signed this affidavit voluntarily of my own accord without any duress, pressure or coercion from any quarter. I do not oppose the prayer made by the petitioners seeking quashing of the FIR No.63/10 PS Aman Vihar, registered under Sections 324/34 of the Indian Penal Code, 1860, nor do I want the petitioners to be punished in relation thereto. There have been no problems between me and the petitioners after the registration of the FIR in the year 2010.

I have studied till standard VIII and work as a conductor. I have understood the implications of the statement made by me. I have so stated voluntarily of my own accord without any duress, pressure or coercion from any quarter.

ANU MALHOTRA, J.

**RO & AC
11.02.2020**

Item No. 85

CRL.M.C. 752/2020

SUJIT KUMAR SHARMA & ANR. V. STATE & ANR.

**CW-3 RAHUL S/O AJAY KUMAR R/O D-160, BALJEET VIHAR,
KIRARI SULEMAN NAGAR, NITHARI, DELHI. AGED 28 YEARS
ON S.A.**

I have brought the original proof of identity, i.e., Aadhar card. The copy of the same is Ex.CW3/A.

My affidavit in support of the petition bears my signatures at points A & B, the same is EX.CW-3/B. I have signed this affidavit voluntarily of my own accord without any duress, pressure or coercion from any quarter. I do not oppose the prayer made by the petitioners seeking quashing of the FIR No.63/10 PS Aman Vihar, registered under Sections 324/34 of the Indian Penal Code, 1860, nor do I want the petitioners to be punished in relation thereto. There have been no problems between me and the petitioners after the registration of the FIR in the year 2010.

I have studied till standard VII and work as a driver. I have understood the implications of the statement made by me. I have so stated voluntarily of my own accord without any duress, pressure or coercion from any quarter.

ANU MALHOTRA, J.

RO & AC

11.02.2020