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

+ CRL.M.C. 1508/2020

AMIT ARORA alias AMAN ARORA & ORSPetitioners

Through: Petitioners in person with Mr. Kamal
Mehta, Advocate.

Versus

STATE & ANRRespondents

Through: Ms.Meenakshi Dahiya, APP for State
with SI Lokesh Singh, PS Samaypur
Badli.
R-2 in person with Mr. Mayank Garg,
Advocate for R-2.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
% **19.06.2020**

Vide the present petition, the petitioner no. 1 Amit Arora @ Aman Arora and petitioner no.2 Gulshan Arora seek the quashing of the FIR No.1152/2015, PS S.P. Badli under Sections 354(D)/506/509/34 of the Indian Penal Code, 1860 submitting to the effect that a settlement has since been arrived at between the parties vide a mediation settlement dated 06.06.2016 which apparently emanated pursuant to proceedings in FIR No.1235/2015, PS S.P. Badli under Sections 498A/406/34 of the Indian Penal Code, 1860.

The status report has been submitted on behalf of the State submitting to the effect that there is one other accused arrayed in the FIR in question named Romil Anand who has not been traced out. It is however submitted on behalf of

the State that in view of the settlement arrived at between the parties, there is no opposition to the prayer made by the petitioners seeking the quashing of the FIR in question.

The Investigating Officer of the case has identified the petitioner no. 1 Amit Arora @ Aman Arora and petitioner no.2 Gulshan Arora present today during the course of the proceedings through video conferencing as being the two accused arrayed in the FIR in question and has also identified respondent no.2 present during the said proceedings as being the complainant of the said FIR. He has further stated that there is one more accused named Romil Anand who has not been traced out since the year 2017 till date as also submitted by the State through its status report.

The respondent No.2 in her examination on oath by the Court through video conferencing in replies to specific Court queries has affirmed having signed her affidavit dated 18.03.2020 annexed to the petition as well as the mediation settlement dated 06.06.2016 arrived at the Delhi Mediation Centre, Rohini District Courts, New Delhi arrived at between her and the petitioners qua which she states that she has signed these documents voluntarily of her own accord without any duress, coercion or pressure from any quarter. The respondent no.2 has further stated that in view of the settlement arrived at between her and the petitioners, she does not oppose the prayer made by the petitioners seeking the quashing of the FIR in question nor does she want the petitioners to be punished in relation thereto.

A perusal of the said settlement agreement dated 06.06.2016 indicates that the petitioner nos. 1 & 2 herein are the brother and father of Ms. Mansi Arora, the complainant of FIR No.1235/2015, PS S.P. Badli under Sections 498A/406/34 of the Indian Penal Code, 1860 that had been registered against the petitioners of CRL.M.C.63/2020 i.e. petitioner nos. 1 to 3 i.e. petitioner no.1 Shishir Dabas, petitioner no.2 Sudesh Dabas and petitioner no.3 Saurabh

Dabas. It is essential to observe that vide a separate order of even date in CRL.M.C.63/2020, FIR No.1235/2015, PS S.P. Badli under Sections 498A/406/34 of the Indian Penal Code, 1860 against the petitioners therein has been quashed in view of the very same settlement arrived at between the parties to that petition and parties to the present petition as well as between Mansi Arora as well as between Ms. Parveen Dabas, arrayed as the respondent No. 2 herein vide a settlement dated 06.06.2016 arrived at Delhi Mediation Centre, Rohini District Courts, Delhi.

In the circumstances, in view of the deposition of the respondent no.2 who is apparently well educated having done her M.A., M.Ed and as she states that she is a lecturer and has understood the implications of the statement made by her, there appears no reason to disbelieve her statement that she has arrived at a settlement with the petitioners voluntarily of her own accord without any duress, coercion or pressure from any quarter.

In view of the statement made by the respondent No.2, the identification of the petitioners by the Investigating Officer and non-opposition on behalf of the State, it is considered appropriate to put a quietus to the litigation between the parties in relation the present FIR. In view thereof, the FIR No.1152/2015, PS S.P. Badli under Sections 354(D)/506/509/34 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom against the petitioner no. 1 Amit Arora @ Aman Arora and petitioner no.2 Gulshan Arora are thus quashed.

The petition is disposed of accordingly.

ANU MALHOTRA, J

JUNE 19, 2020

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CRL.M.C. 1508/2020

Page 3 of 3

IN THE HIGH COURT OF DELHI: NEW DELHI

12

CRL.M.C. 1508/2020,

**AMIT ARORA alias AMAN ARORA & ORS Versus STATE & ANR
19.06.2020**

CW-1 SI Lokesh Singh, PS S.P. Badli.

ON S.A.

I am the Investigating Officer of FIR No.1152/2015, PS S.P. Badli under Sections 354(D)/506/509/34 of the Indian Penal Code, 1860.

I identify the petitioner no. 1 Amit Arora @ Aman Arora and petitioner no.2 Gulshan Arora on screen through video conferencing as being the two accused arrayed in the FIR No.1152/2015, PS S.P. Badli under Sections 354(D)/506/509/34 of the Indian Penal Code, 1860 and I also identify the respondent no.2 Ms.Praveen Dabas as being the complainant of the said FIR.

There is one more accused namely Romil Anand who is not traceable since the year 2017 till date.

**RO & AC
19.06.2020**

ANU MALHOTRA, J

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12

CRL.M.C. 1508/2020,

**AMIT ARORA alias AMAN ARORA & ORS Versus STATE & ANR
19.06.2020**

CW-2 Ms. Praveen Dabas, w/o Sh. Saurabh Dabas, age 35 years, r/o A-7/14, Sector-18, Rohini, Delhi.

ON S.A.

My affidavit dated 18.03.2020 annexed to the petition bears my signatures, likewise, the settlement dated 06.06.2016 arrived at the Delhi Mediation Centre, Rohini District Courts, New Delhi also bears my signatures thereon and I have signed these documents voluntarily of my own accord without any duress, coercion or pressure from any quarter.

In view of the settlement arrived at between me and the petitioners, I do not oppose the prayer made by the petitioners seeking the quashing of the FIR No.1152/2015, PS S.P. Badli under Sections 354(D)/506/509/34 of the Indian Penal Code, 1860 nor do I want the petitioners to be punished in relation thereto.

I have done my M.A., M.Ed. and I am a lecturer.

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

**RO & AC
19.06.2020**

ANU MALHOTRA, J