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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1551/2020
PRANAV PHALPHAR & ANR. Petitioner

Through: Mr. Sanjeev Anand, Mr. Rajnish
Gaiind, Mr. Varun K. Bala, Mr.
Suresh Khadav, Adv. with petitioners
in person.

versus

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF
DELHI & ORS. Respondents

Through: Mr. Ashok Kumar Garg, APP for
State with SI Kishor Prasad, PS CR
Park.
Mr. Siddharth Aggarwal, Mr. Simon
Benjamin, Mr. Surbhit Nandan, Adv.
for R-2-4 with R-2-4 in person.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
% **31.07.2020**

Vide the present petition, the petitioners seek the quashing of the FIR No.146/2019, PS Chittaranjan Park, under Sections 354/506 of the Indian Penal Code, 1860 submitting to the effect that a settlement has since been arrived at between the parties vide a memorandum of settlement dated 20.11.2019 and that the petitioners have since apologized to the respondent nos.2, 3 & 4 and no useful purpose would be served by the continuation of the proceedings in relation to the FIR in question.

It is also submitted on behalf of the petitioners as also indicated through the memorandum of settlement dated 20.11.2019 that the petitioner

no.1 at the time of the incident was suffering from psychological disorder and undergoing treatment for the same.

The Investigating Officer of the case has identified the petitioners as being the accused in the FIR in question and has also identified the respondent nos.2, 3 & 4 with the respondent no.2 as being the complainant and the other two witnesses in the FIR.

The respondent nos.2, 3 & 4 in their depositions on oath in reply to specific Court queries have testified to having signed the memorandum of settlement dated 20.11.2019 of their own accord and stated that in as much as the petitioner no.1 as per the medical documents produced by him was suffering from some psychological disorder, they have accepted the apology tendered by the petitioner nos.1 & 2 to them and thus they do not seek the continuation of the proceedings in the FIR any more against the petitioners.

To similar effect are the statements made by the petitioner nos.1 & 2 to the effect that they have apologized to the respondent nos.2, 3 & 4 qua the incident in relation to which the FIR was registered.

There appears no reason to disbelieve the statements made by the respondent nos.2, 3 & 4 that they have arrived at a settlement with the petitioners voluntarily of their own accord and after understanding the implications of the statements made by them. In the circumstances, it is considered appropriate to put a quietus to the litigation and disputes between the parties for maintenance of peace and harmony between them qua FIR No.146/2019, PS Chittaranjan Park, under Sections 354/506 of the Indian Penal Code, 1860 against the petitioners, which is thus quashed.

A sum of Rs.15,000/- each is imposed on the petitioner nos.1 & 2 to be deposited with the Delhi State Legal Services Authority within 10 days.

In the event of the same not being so deposited, the Registry shall put up the matter on the Board of the Court after notice to the petitioners.

The petition is disposed of.

ANU MALHOTRA, J

JULY 31, 2020

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IN THE HIGH COURT OF DELHI: NEW DELHI

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PRANAV PHALPHAR & ANR.

**Vs. GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF
DELHI & ORS.**

31.07.2020

CW-1 SI Kishor Prasad, PS Chittranjan Park

I identify the petitioner no.1 Pranav Phalphar and petitioner no.2 Mohit Soni as being the accused arrayed in FIR No.146/2019, PS Chittaranjan Park, under Sections 354/506 of the Indian Penal Code, 1860 and I identify the respondent no.2 Ms. Kohelika Kohli as being the complainant thereof and the respondent no.3 Ms. Suvidha Choudhari and the respondent no.4 Ms. Nidhi Choudhari as being the witnesses in the said FIR.

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31.07.2020

CW-2 Ms. Kohelika Kohli, d/o Sh. Ramesh Kohli, age 40 years, r/o 31, Golf Links, New Delhi.

ON S.A.

The memorandum of settlement dated 20.11.2019 placed on the record of the petition has been signed by me which I have signed voluntarily. In as much as it has been learnt that the petitioner no.1 at the time of the incident was undergoing some psychological treatment and mood disorder and in as much as the petitioner nos.1 & 2 have apologized for the incident qua which the FIR No.146/2019, PS Chittaranjan Park, under Sections 354/506 of the Indian Penal Code, 1860 was registered, I do not oppose the prayer made by the petitioners seeking quashing of the FIR in question nor do I want the petitioners to be punished in relation thereto.

I undertake to abide by the terms of the memorandum of settlement dated 20.11.2019 i.e. each clause thereof.

I have done B.Arch. and I am an Architect.

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

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**CW-3 Ms. Suvidha Choudhari, W/o Mr. Aseem Choudhari, age 45
years, r/o B-27, Greater Kailash-I, New Delhi.**

ON S.A.

The memorandum of settlement dated 20.11.2019 placed on the record of the petition has been signed by me which I have signed voluntarily. In as much as it has been learnt that the petitioner no.1 at the time of the incident was undergoing some psychological treatment and mood disorder and in as much as the petitioner nos.1 & 2 have apologized for the incident qua which the FIR No.146/2019, PS Chittaranjan Park, under Sections 354/506 of the Indian Penal Code, 1860 was registered, I do not oppose the prayer made by the petitioners seeking quashing of the FIR in question nor do I want the petitioners to be punished in relation thereto.

I undertake to abide by the terms of the memorandum of settlement dated 20.11.2019 i.e. each clause thereof.

I have done MBA and I run a club for women.

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
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**CW-4 Ms. Nidhi Choudhari, w/o Sh. Rajeev Choudhari, age 43 years,
r/o B-29, Greater Kailash-I, New Delhi.**

ON S.A.

The memorandum of settlement dated 20.11.2019 placed on the record of the petition has been signed by me which I have signed voluntarily. In as much as it has been learnt that the petitioner no.1 at the time of the incident was undergoing some psychological treatment and mood disorder and in as much as the petitioner nos.1 & 2 have apologized for the incident qua which the FIR No.146/2019, PS Chittaranjan Park, under Sections 354/506 of the Indian Penal Code, 1860 was registered, I do not oppose the prayer made by the petitioners seeking quashing of the FIR in question nor do I want the petitioners to be punished in relation thereto.

I undertake to abide by the terms of the memorandum of settlement dated 20.11.2019 i.e. each clause thereof.

I am a graduate and I run a club for women for events.

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

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**CW-5 Mr. Pranav Phalphar, s/o Sh. Vikram Phalphar, age 27 years, r/o
W-48A, Greater Kailash, Part-II, New Delhi**

ON S.A.

I apologize for my behaviour to the respondent nos.2, 3 & 4 in as much as I was undergoing some treatment at the time of the incident.

I undertake to abide by the terms of the memorandum of settlement dated 20.11.2019 i.e. each clause thereof.

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

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**CW-6 Mr. Mohit Soni, s/o Sh. Bimal Soni, age 38 years, r/o 11, Chetak
Marg, Near Police Memorial Circle, Jaipur-302004.**

ON S.A.

I apologize for my behaviour to the respondent nos.2, 3 & 4 qua the incident qua which the FIR No.146/2019, PS Chittaranjan Park, under Sections 354/506 of the Indian Penal Code, 1860 was registered.

I undertake to abide by the terms of the memorandum of settlement dated 20.11.2019 i.e. each clause thereof.

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
31.07.2020**

ANU MALHOTRA, J