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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 2448/2019 & Crl. M.A. Nos.4542-4544/2020
SATISH KUMAR & ORS. Petitioners
Through: Mr. V.K. Sidharthan, Advocate.

versus

STATE & ANR Respondents
Through: Mr. Kewal Singh Ahuja, APP for State.
SI Gajendra Kumar, PS Chhawla.
Respondent No.2 in person.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
% **11.03.2020**

Crl. M.A. No.4543/2020 (for exemption)

Allowed, subject to all just exceptions.

Application stands disposed of.

Crl. M.A. No.4544/2020 (for delay)

For the reasons stated in the application, delay of 77 days in re-filing the accompanying application is condoned.

Application stands disposed of.

Crl. M.C. No.2448/2019 & Crl. M.A. No.4542/200 (for directions)

Vide the present petition, the petitioners seek quashing of the FIR No.318/2015, PS Chhawla registered under Sections 324/506/34 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

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relation to the FIR in question.

As per the averments made in the FIR, there was one more person added as accused, i.e., Suresh Kumar, who, as testified by the Investigating Officer and as also brought forth in amended memo of parties dated 26.11.2019 has been verified to have since expired on 12.05.2019.

The Investigating Officer of the case has identified the petitioners 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 stated on oath on production of his original proof of identity, copy of which is on the record as Ex. CW2/A, to having sworn his affidavit Ex. CW2/B voluntarily of his own accord without any duress, coercion or pressure from any quarter and states that petitioner Nos.1 and 2 are his nephews i.e. sons of his real brother Mahtab Singh and petitioner Nos.3 and 4 are the wives of petitioner Nos.2 and 1 respectively. He states that there have been no problems between him and the petitioners after registration of the FIR in the year 2015 on 01.06.2015 and states that he does not seek the continuance of the proceedings in the FIR in question nor does he want the petitioners to be punished in relation thereto.

On behalf of the State, there is no opposition to the prayer made by the petitioners seeking quashing of the FIR.

There appears no reason to disbelieve the statement made by the respondent no.2 that he has made his statement voluntarily and has arrived at a settlement with the petitioners voluntarily.

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Apparently petitioners and respondent No.2 are closely related to each other, which has been stated by respondent No.2 that there has been no problem after registration of the FIR. 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.318/2015, PS Chhawla registered under Sections 324/506/34 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom against the petitioner No.1 Satish Kumar, petitioner No.2 Sanjay Kumar, petitioner No.3 Babita and Petitioner No.4 Parmila are thus quashed.

The petition is disposed of.

Copy of the order *dasti* under signatures of the Court Master.

ANU MALHOTRA, J.

MARCH 11, 2020
‘AA’

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Item No.24

Crl. M.C. No.2448/2019

SATISH KUMAR & ORS VS. STATE & ANR.

**CW-1 SI GAJENDRA KUMAR, PS CHHAWLA
ON S.A.**

Amended memo of parties has already been filed. I identify the petitioner Nos.1 to 4, namely, Satish Kumar, Sanjay Kumar, Babita and Parmila as being the accused arrayed in FIR No.318/2015, PS Chhawla, registered under Sections 324/506/34 of the Indian Penal Code, 1860 present in the Court today. Suresh Kumar, one of the accused has already expired. 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
11.03.2020**Signature
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Item No.24

CrI. M.C. No.2448/2019

SATISH KUMAR & ORS VS. STATE & ANR.

CW-2 MAHIPAL SINGH, S/O LATE SHRI MEER SINGH, AGED 54 YEARS, R/O PLOT NO.244, P.O. CHHAWLA, NEW DELHI-71

ON S.A.

I have brought my original Aadhar card as proof of identity. 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.

Petitioner Nos.1 and 2 are my nephews, son of my real brother Mahtab Singh and petitioner No.3 is the wife of petitioner No.2, Sanjay Kumar and petitioner No.4, Parmila is the wife of petitioner No.1, Satish Kumar as per the amended memo of parties dated 26.11.2019.

In view of the settlement arrived at between me and the petitioners, I do not oppose the prayer made by the petitioners seeking quashing of the FIR No.318/2015, PS Chhawla, under Sections 324/506/34 of the Indian Penal Code, 1860, nor do I want the petitioners to be punished in relation thereto.

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. There have been no problems between me and the petitioners after registration of the FIR.

ANU MALHOTRA, J.

RO & AC
11.03.2020

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