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

+ **CRL.M.C. 3470/2019**

ARJUN & ORS.

..... Petitioners

Through: Petitioners in person with Mr.
Chaman Sharma, Advocate.

versus

STATE & ANR.

..... Respondents

Through: Mr. Kewal Singh Ahuja, APP for
State with SI DineshKumar, PS
Gokul Puri.
R-2 in person with Mr. Manoj Kumar,
Advocate for R-2.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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08.01.2020

Vide the present petition, the petitioners seek the quashing of the FIR No.381/2015, PS Gokul Puri registered under Sections 323/341/452/34 of the Indian Penal Code, 1860 submitting to the effect that a settlement has been arrived at between the parties vide a compromise deed dated 24.06.2019 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 is present and has identified the petitioner nos. 1 to 3 i.e. the petitioner no.1 Arjun, petitioner no.2 Nanhe Ram and petitioner no.3 Rajesh present today in Court as being the accused arrayed in the FIR No.381/2015, PS

Gokul Puri registered under Sections 323/341/452/34 of the Indian Penal Code, 1860 and has also identified the respondent no.2 Sh. Sanjay Kumar Garg as being the complainant/injured of the said FIR. He has further stated that the injuries sustained by the injured in the instant case are simple in nature.

The respondent no.2 in his deposition on oath on production of his proof of identity, photocopy of which is on the record as Ex.CW2/A has affirmed having signed his affidavit in response to the petition as no objection annexed to the petition at points A & B on Ex.CW2/B as well as the compromise deed dated 24.06.2019 between him and the petitioners as visible at point A on Ex.CW2/C, which he has stated that he has signed both these voluntarily of his own accord without any duress, coercion or pressure from any quarter. He has further testified to the effect that the petitioner nos. 1 to 3 have since apologized to him and that he does not now oppose the prayer made by the petitioners seeking the quashing of the FIR No.381/2015, PS Gokul Puri registered under Sections 323/341/452/34 of the Indian Penal Code, 1860 nor does he want the petitioners to be punished in relation thereto. He has further stated that he is a teacher and that he has understood the implications of the statement made by him.

As averred in the compromise deed between the parties, the incident took place on the spur of the moment and in view of the statement made by the respondent no.2, there appears no reason to disbelieve the statement that he has arrived at a settlement with the

petitioners voluntarily, it is considered appropriate to put a quietus to the litigation between the parties.

In view thereof, the FIR No.381/2015, PS Gokul Puri registered under Sections 323/341/452/34 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom against the petitioner nos. 1 to 3 i.e. the petitioner no.1 Arjun, petitioner no.2 Nanhe Ram and petitioner no.3 Rajesh are thus quashed.

The petition is disposed of accordingly.

ANU MALHOTRA, J

JANUARY 08, 2020
'neha chopra'

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CW-1 SI Dinesh Kumar, PS Gokul Puri.
ON S.A.

I identify the petitioner nos. 1 to 3 i.e. the petitioner no.1 Arjun, petitioner no.2 Nanhe Ram and petitioner no.3 Rajesh present today in Court as being the accused arrayed in the FIR No.381/2015, PS Gokul Puri registered under Sections 323/341/452/34 of the Indian Penal Code, 1860 and I also identify the respondent no.2 Sh. Sanjay Kumar Garg as being the complainant/injured of the said FIR.

The injuries sustained by the injured in the instant case are simple in nature.

ANU MALHOTRA, J.

RO & AC
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CW-2 Sh. Sanjay Kumar Garg, s/o Shri Niranjana Parshad Garg, age 48 years, r/o Q-384, Dilshad Garden, Delhi.

ON S.A.

I have brought my proof of identity in the form of my original Election Commission Identity Card, photocopy of which is on the record as Ex.CW2/A. My affidavit in response to the petition as no objection annexed to the petition bears my signatures thereon at points A & B on Ex.CW2/B. The compromise deed dated 24.06.2019 between me and the petitioners also bears my signatures thereon as visible at point A on Ex.CW2/C, I have signed both these documents voluntarily of my own accord without any duress, coercion or pressure from any quarter.

The petitioner nos. 1, 2 and 3 have since apologized to me.

I am a teacher and I have understood the implications of the statement made by me.

I thus, do not oppose the prayer made by the petitioners seeking the quashing of the FIR No.381/2015, PS Gokul Puri registered under Sections 323/341/452/34 of the Indian Penal Code, 1860 nor do I want the petitioners to be punished in relation thereto.

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

ANU MALHOTRA, J.

RO & AC

08.01.2020