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

+ **CRL.M.C. 3568/2019**

BHUSHAN KUMAR MANCHANDA & ORS Petitioners

Through: Petitioners in person with Mr.
Manobal Gupta, Advocate.

versus

THE STATE & ORS Respondents

Through: Ms. Meenakshi Dahiya, APP for State
with W/SI Rachna, PS Mukherjee
Nagar.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **17.02.2020**

The respondent no.2 is present. In terms of proceedings dated 09.12.2019, the amended memo of parties has been submitted by the petitioners arraying Mr. Ashok Vig i.e. the other person stated to have been assaulted as per the averments made in the FIR as a party to the present petition as the respondent no.3, who is also present.

Vide the present petition, the petitioner nos. 1 to 10 seek the quashing of the FIR No.1265/2015, PS Mukherjee Nagar registered under Sections 451/354/354B/323/34 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 12.07.2019 and that the petitioners and the respondent nos. 2 & 3 belong to the same family, no useful purpose would be served by the continuation of the proceedings in relation to the present

FIR.

The Investigating Officer of the case is present and has identified the petitioner nos. 1 to 10 as being the ten accused arrayed in the FIR No.1265/2015, PS Mukherjee Nagar registered under Sections 451/354/354B/323/34 of the Indian Penal Code, 1860 and he has also identified the respondent no.2 Ms. Malti Vig as being the complainant of the said FIR, and the respondent no.3 as per the amended memo of parties Mr. Ashok Vig as being the husband of the respondent no.2.

The respondent nos. 2 & 3 have both produced their original proofs of identities, photocopies of which are on the record as Ex.CW2/A & Ex.CW3/A respectively. The respondent nos. 2 & 3 in their depositions on oath by the Court have affirmed having signed their respective affidavits in support of the averments made in the petition submitting that they do not oppose the prayer made by the petitioners seeking the quashing of the FIR in view of it being a family dispute and that they have resolved all the disputes.

Though, the averments made in the FIR relate *inter alia* to the alleged commission of the offence punishable under Section 354 and Section 354 B of the Indian Penal Code, 1860 as averred by the complainant, the statement under Section 164 of the Cr.P.C., 1973 of the complainant dated 28.09.2015 does not vouch in relation to the averments qua the alleged commission of the offence punishable under Section 354 & 354B of the Indian Penal Code, 1860.

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

In the circumstances, in view of the depositions of the respondent nos. 2 & 3 and the non opposition on behalf of the State, for maintenance of peace and harmony between the petitioner nos. 1 to 10 and the respondent no.2, it is considered appropriate to put a quietus to the litigation between the parties in relation to the present FIR.

In view thereof, the FIR No.1265/2015, PS Mukherjee Nagar registered under Sections 451/354/354B/323/34 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom against the petitioner nos. 1 to 10 i.e. the petitioner no.1 Bhushan Kumar Manchanda, petitioner no.2 Sandeep Manchanda, petitioner no.3 Lalit Manchanda, petitioner no.4 Satish Manchanda, petitioner no.5 Ravi Manchanda, petitioner no.6 Rajat Manchanda, petitioner no.7 Sahil Narang, petitioner no.8 Anil Kumar Narang, petitioner no.9 Rajni Narang and petitioner no.10 Varun Narang are thus, quashed.

The petition is disposed of.

ANU MALHOTRA, J

FEBRUARY 17, 2020

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CW-1 W/SI Rachna, PS Mukherjee Nagar.

ON S.A.

I identify the petitioner nos. 1 to 10 i.e. the petitioner no.1 Bhushan Kumar Manchanda, petitioner no.2 Sandeep Manchanda, petitioner no.3 Lalit Manchanda, petitioner no.4 Satish Manchanda, petitioner no.5 Ravi Manchanda, petitioner no.6 Rajat Manchanda, petitioner no.7 Sahil Narang, petitioner no.8 Anil Kumar Narang, petitioner no.9 Rajni Narang and petitioner no.10 Varun Narang as being the ten accused arrayed in the FIR No.1265/2015, PS Mukherjee Nagar registered under Sections 451/354/354B/323/34 of the Indian Penal Code, 1860 and I also identify the respondent no.2 Ms. Malti Vig as being the complainant of the said FIR, and the respondent no.3 as per the amended memo of parties Mr. Ashok Vig as being the husband of the respondent no.2.

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BHUSHAN KUMAR MANCHANDA & ORS. VS. STATE & ORS.

17.02.2020

CW-2 Ms. Malti Vig, w/o Sh. Ashok Vig, age 62 years, r/o 175, Gujra Wala Town, New Delhi previously r/o A-207, Mukherjee Nagar, Delhi.

ON S.A.

I have brought my original proof of identity, photocopy of which is on the record as Ex.CW2/A. My affidavit in support of the averments made in the petition bears my signatures at points A & B on Ex.CW2/B. The compromise deed dated 12.07.2019 between me and the petitioner nos. 1 to 10 also bears my signatures as visible at point A on Ex.CW2/C, I have signed these documents voluntarily of my own accord without any duress, coercion or pressure from any quarter.

The petitioner nos. 1 to 8 and petitioner no.10 are my brothers and petitioner no.9 is my sister and in view of the settlement arrived at between me and the petitioner nos. 1 to 10, I do not oppose their prayer seeking the quashing of the FIR No.1265/2015, PS Mukherjee Nagar registered under Sections 451/354/354B/323/34 of the Indian Penal Code, 1860 nor do I want them to be punished in relation thereto.

I am a graduate and I run a catering business.

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

17.02.2020

ANU MALHOTRA, J

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**CW-3 Sh. Ashok Vig, s/o late Sh. Ramji Das, age 68 years, r/o A-175,
Gujra Wala Town, New Delhi.**

ON S.A.

I have brought my original proof of identity, photocopy of which is on the record as Ex.CW3/A.

My affidavit in support of the averments made in the petition bears my signatures at points A & B on Ex.CW3/B. Since, the petitioner nos. 1 to 10 have apologized and it is a family dispute, I do not oppose the prayer made by the petitioner nos. 1 to 10 seeking the quashing of the FIR No.1265/2015, PS Mukherjee Nagar registered under Sections 451/354/354B/323/34 of the Indian Penal Code, 1860 nor do I want them to be punished in relation thereto.

I am a graduate.

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

17.02.2020

ANU MALHOTRA, J