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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 3741/2019 & CRL.M.A. 32510/2019
TAZUDDIN KHAN & ANR. Petitioners

Through: Mr. Ranjit Singh, Adv.

versus

STATE & ANR. Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with SI ML Meena, PS Jamia Nagar.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

09.01.2020

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Vide the present petition, the petitioner nos.1 & 2 seek quashing of the FIR No.377/2012, PS Jamia Nagar registered under Sections 452/323/324/325/506/427/34 of the Indian Penal Code, 1860 in relation to which charges have been framed on 17.08.2017 for the offence punishable under Section 452/323/506/34 of the Indian Penal Code, 1860 with it having been submitted on behalf of the petitioner that a settlement has been arrived at between the parties 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 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 produced his original proof of identity, copy of which is on the record as Ex.CW2/B. The respondent no.2 in his examination on oath by the Court has affirmed having signed the settlement arrived at between him and the petitioners at the Saket Court on 11.02.2019

Ex.CW2/A voluntarily of his own accord without any duress, coercion or pressure from any quarter and states that he has arrived at the settlement with the petitioners voluntarily of his own accord and thus he does not oppose the prayer made by the petitioners seeking the quashing of the FIR No.377/2012, PS Jamia Nagar registered under Sections 452/323/324/325/506/427/34 of the Indian Penal Code, 1860 nor does he want the petitioners to be punished in relation thereto. He further states that he is a post-graduate in cardiology and he is a practitioner.

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

There appears no reason to disbelieve the statement made by the respondent no.2 that he has arrived at a settlement with the petitioner voluntarily and he being apparently well educated being a post-graduate in cardiology and a practitioner and as he states that he has understood the implications of the statement made by him, it is considered appropriate to put a quietus to the litigation and disputes between the parties for maintenance of peace and harmony between them, thus, the FIR No.377/2012, PS Jamia Nagar registered under Sections 452/323/506/34 of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom against the petitioner no.1 Mr. Tazuddin Khan and petitioner no.2 Ms. Sahida are quashed.

The petition is disposed of.

Copy of the order be given Dasti, as prayed.

ANU MALHOTRA, J

JANUARY 09, 2020/vm

IN THE HIGH COURT OF DELHI: NEW DELHI

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CRL.M.C. 3741/2019

TAZUDDIN KHAN & ANR. Vs. STATE & ANR

09.01.2020

CW-1 SI ML Meena, PS Jamia Nagar.

ON S.A.

I identify the petitioner no.1 Mr. Tazuddin Khan and petitioner no.2 Ms. Sahida as being the two accused arrayed in the FIR No.377/2012, PS Jamia Nagar registered under Sections 452/323/324/325/506/427/34 of the Indian Penal Code, 1860. I identify the respondent no.2 Dr. Mohib Ul Islam Khan as being the complainant of the said FIR.

RO & AC
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ANU MALHOTRA, J

IN THE HIGH COURT OF DELHI: NEW DELHI

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CRL.M.C. 3741/2019

TAZUDDIN KHAN & ANR. Vs. STATE & ANR

09.01.2020

CW-2 Dr. Mohib Ul Islam Khan, s/o Alamgir, aged 36 years, r/o Nesreen Manzil, Bhoor Road, Bulandshahr, UP.

I have brought my original Aadhaar Card, photocopy of which is on the record as Ex.CW2/B (original seen and returned). I am the complainant of FIR No.377/2012, PS Jamia Nagar registered under Sections 452/323/324/325/506/427/34 of the Indian Penal Code, 1860 lodged against the petitioner nos.1 & 2. A settlement has been arrived at between me and the petitioners at Saket Court on 11.02.2019 and the copy thereof bears my signatures thereon on each page thereof as also visible at Point A on Ex.CW2/A. I have signed the said settlement document 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.377/2012, PS Jamia Nagar registered under Sections 452/323/324/325/506/427/34 of the Indian Penal Code, 1860 nor do I want the petitioners to be punished in relation thereto.

I am a post-graduate in cardiology and I am a practitioner.

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

RO & AC
09.01.2020

ANU MALHOTRA, J