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

+ **W.P.(CRL) 970/2022, CRL.M.A. 23671/2023**

SANCHITA CHAWLA AND OTHERS

.....Petitioner

Through: Ms. Anjna Masih, Mr. Javed Subhan,
Advvs.with petitioners through VC

versus

THE STATE AND OTHERS

.....Respondents

Through: Mr. Sanjeev Bhandari, ASC, Ms.
Charu Sharma, Mr. Arjit Sharma, Mr.
Vaibhav Vats, Advvs. for State and SI
Chandan, PS Paschim Vihar.
Mr. Juned Alam, Adv. for R-2 &3.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER
20.08.2024

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1. The present petition has been filed seeking the quashing of FIR No.242/2019 registered at PS Paschim Vihar under Sections 363/365/342/34 IPC and all the other proceedings emanating therefrom.
2. The FIR was lodged in the statement of Isha Chawla age 16, alleging therein that on 04.05.2019, when she reached Doon Public School, Paschim Vihar along with her father Sanjay Chawla for PTM. While her father was parking his vehicle. She met Suchitra Chawla D/o Umesh Chawla who asked about complainant's mother to which she replied that her mother has not come. Thereafter Suchitra pushed the complainant towards a car by holding the shoulders while threatening



her and also snatched her phone. Thereafter Rajeev Makkar and his Brother-in-law were seen coming while holding the complainant's father. Suchitra Chawla, Rajeev Makkar, and a lady accompanied by Rajeev Makkar forcefully took the complainant and her father to the house of Umesh Chawla. Somehow the father of the complainant managed to make a call to the complainant's mother who called 112 and reached the home of Umesh Chawla along with the police. Thereafter the present FIR was registered.

3. Learned counsel for the petitioners submits that the petitioners and respondents no. 2 and 3 are very well known to each other being the residents of the same locality and both parties have amicably resolved all their disputes with the help and intervention of well-wishers and common friends. The parties arrived at a MoU/Compromise Deed dated 22.09.2021 on the following terms and conditions:

“1. That it has been agreed between the parties that they will maintain peace and harmony in the society.

2. That it has been agreed between the parties that the first party will cooperate with the second party to get quashed the FIR No.0242/19 at Police Station Paschim Vihar, Delhi, under section 363/365/342/34 Indian Penal Code and will appear before the Hon'ble High Court of Delhi or Hon'ble Ld. Trial Court as and when required or directed to do so or and also signed, attested required documents for the said purpose.

3. That it has been agreed between the parties that both the parties shall withdraw/quashed all the cases/complaints filed against each other/family members/relatives, if any before quashing of the above said FIR. If any case/complaint of any party have been found pending after quashing of the above said FIR then the present settlement deed become null and void.



4. That the present compromise deed has been signed and executed by both the parties voluntarily with their own free will and volition without any pressure, coercion or compulsion from any corner.

IN WITNESS WHEREOF, the parties have hereunto set and subscribed their respective hands, the day, month & year first above written.”

4. Petitioners Sanchita Chawla, Mohinder Kumar Suneja, Geeta Chawla, and Rajeev Makker are present in court. Respondents No. 2 and 3 are also present in court. All the parties have duly been identified by the I.O. Respondent No.3 Sanjay Chawla states that he is voluntarily settling the matter of his own free will without any fear, force, or coercion. Respondent No.3 states that there was some misunderstanding which was earlier not solved. Respondent No.2 also states that she is voluntarily settling the matter out of her own free will without any fear, force, or coercion.
5. Learned A.S.C. submits that after investigation, the chargesheet has already been filed and as per the Investigating Officer, there is no other dispute or case between the parties.
6. Since the dispute is predominantly private in nature and the parties have settled all the disputes amicably, in the interest of justice it would be better to put a quietus to the dispute. The chances of conviction would also be bleak and remote, given that the parties do not wish to pursue the present complaint on account of the settlement. I do not see any reason to reject the settlement. However, since both parties have put an unnecessary burden on the exchequer, let a cost of Rs. 10,000/- by each petitioner be deposited with the ‘Armed Forces



Battle Casualties Welfare Fund' within two weeks. Let the proof of Deposit be filed.

7. Taking into account the totality of facts and circumstances, the case FIR No.242/2019 registered at PS Paschim Vihar under Sections 363/365/342/34 IPC and all the other proceedings emanating therefrom are quashed.
8. The present petition along with the pending applications, if any, stand disposed of.

DINESH KUMAR SHARMA, J

AUGUST 20, 2024

Pallavi/HT