

Sunder Kukreja & Ors vs State & Anr on 8 April, 2021

Author: Anu Malhotra

Bench: Anu Malhotra

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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CRL.M.C. 2277/2020
SUNDER KUKREJA & ORS.

Through: Petitioners in person through
Conferencing with Mr.
Khuran & Ms.Riya Arora, Adv

versus

STATE & ANR.

Through: Mr.Hirein Sharma, APP for S
R-2 in person with Mr.S.N.V
Advocate for R-2 through VC

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA
ORDER

% 08.04.2021 The petitioners, vide the present petition seek the quashing of the FIR No.82/2019, PS Amar Colony under Sections 323/341/506/354/509/34 of the Indian Penal Code, 1860 submitting to the effect that a settlement has since been arrived at between the parties vide a mediation settlement dated 18.11.2020 pursuant to which the other FIR i.e. FIR No.386/2016, PS Amar Colony inter alia against the respondent no.2, the complainant of the FIR No.82/2019, PS Amar Colony under Sections 323/341/506/354/509/34 of the Indian Penal Code, 1860 has already since been compounded and that no useful purpose would be served by the continuation of the proceedings in relation to the FIR in question.

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The respondent no.2 has been identified at bar by the learned counsel for the respondent no.2 whose vakalatnama is on the record.

The respondent no.2 in her deposition on oath in replies to specific Court queries affirms the factum of the settlement arrived at between her and the petitioners vide a deed of settlement dated 18.11.2020 and that thus in view of the said settlement, she does not oppose the prayer made by the petitioners seeking the quashing of the FIR No.82/2019, PS Amar Colony under Sections 323/341/506/354/509/34 of the Indian Penal Code, 1860 nor does she want them to be punished in relation thereto.

On behalf of the State, there is no opposition to the prayer made by the petitioners seeking the quashing of the FIR in question in view of the deposition of the respondent no.2 and the settlement arrived at between the parties.

The respondent no.2 is apparently well educated being a graduate and she states that she has understood the implications of the statement made by her, there appears no reason to disbelieve her statement that she has arrived at a settlement with the petitioners voluntarily of her own accord without any duress, coercion or pressure from any quarter.

In view thereof, as already observed hereinabove, there appears no reason to disbelieve the statement of the respondent no.2 that she has arrived at a settlement with the petitioners voluntarily of her own accord, in terms of Section 320(2) of the Cr.P.C., 1973, it is considered appropriate to put a quietus to the litigation between the parties in relation to the FIR in question and thus, the FIR No.82/2019, PS Amar Colony under Sections 323/341/506/354/509/34 of the Indian Penal Code, 1860 and all Signature Not Verified Digitally Signed By:SUMIT GHAI Signing Date:09.04.2021 19:45:56 This file is digitally signed by PS to HMJ ANU MALHOTRA.

consequential proceedings emanating therefrom against the petitioners are thus quashed.

The petition is disposed of accordingly.

ANU MALHOTRA, J APRIL 8, 2021 'Neha Chopra' Signature Not Verified Digitally Signed By:SUMIT GHAI Signing Date:09.04.2021 19:45:56 This file is digitally signed by PS to HMJ ANU MALHOTRA.

IN THE HIGH COURT OF DELHI: NEW DELHI SUNDER KUKREJA & ORS. versus STATE & ANR. 08.04.2021 CW-1 Mr.S.N.Vahsishth, Advocate, Enrolment No.D-34/97(R) At Bar.

I identify the respondent no.2 Ms.Shikha Chawla W/o Sh.Keshav Chawla as being the complainant of the FIR No.82/2019, PS Amar Colony under Sections 323/341/506/354/509/34 of the Indian Penal Code, 1860.

RO & AC
08.04.2021

ANU MALHOTRA, J

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IN THE HIGH COURT OF DELHI: NEW DELHI SUNDER KUKREJA & ORS. versus STATE & ANR. 08.04.2021 CW-2 Ms.Shikha Chawla, W/o Sh.Keshav Chawla, aged 34 years, R/o 88, Bhagirathipuram, Lane No.7, Jakhan, Dehradun, Uttrakhand.

On S.A. In view of the settlement arrived at between me and the petitioners vide a deed of settlement dated 18.11.2020 which I have signed voluntarily of my own accord without any duress, coercion or pressure from any quarter, in as much as, the FIR No.386/2016, PS Amar Colony inter alia against me has already been compounded and that 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.82/2019, PS Amar Colony under Sections 323/341/506/354/509/34 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 and I do not need to think again.

RO & AC
08.04.2021

ANU MALHOTRA, J

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