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19.11.2010

Present: Mr. N.K. Handa, Advocate for the petitioner.
Mr. R.N. Vats, APP for the State/respondent No.1.
Mr. Satish Sethi, Advocate for respondent No.2.

+Crl.M.C. No.3583/2010

Petitioner is seeking quashing of FIR No.365/2010 under Section 67 of the Information Technology Act, 2000 and Section 509 IPC P.S. Jagat Puri registered on the complaint of respondent No.2.

Reason for seeking quashing of FIR is that the parties have amicably settled the matter and now there is no dispute left between them.

Petitioner Sumit Ghai is present. He is identified by his counsel Shri N.K. Handa. Respondent No.2 is also present. She is identified by her counsel Shri Satish Sethi.

Basic allegations against the petitioner in the FIR is that he was engaged to be married with respondent No.2 and after the *sagan* ceremony, he sent a vulgar MMS to the mobile phone No.9999255132 of respondent No.2 from his mobile phone. Subsequently, the petitioner and his family started raising demand for dowry and the married was called off. It is alleged that by sending a vulgar photograph, the petitioner has committed an offence under Section 67 of the Information Technology Act and Section 509 IPC.

Both the parties confirm that they have amicably resolved the matter and petitioner has already tendered his apology to respondent

No.2 and paid the expenses incurred on the engagement ceremony. Respondent No.2 submits that she has entered into a settlement with the petitioner and now there is no dispute left between and she does not want any action against the petitioner on her FIR and prays for quashing of the FIR.

Learned APP appearing for the State submits that in view of the settlement arrived at between the parties, State has no objection in case the FIR and the proceedings arising out of the same are quashed.

Since the parties have arrived at an amicable settlement, I feel that no useful purpose will be served in keeping the FIR and the proceedings arising out of the same alive. In view of the above, the FIR No.365/2010 under Section 67 of the Information Technology Act and Section 509 IPC P.S. Jagat Puri and the proceedings emanating from the same are hereby quashed.

Petition stands disposed of.

NOVEMBER 19, 2010

pst


(AJIT BHARIHOKE)
JUDGE