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

+ W.P.(CRL) 2753/2016

AYUSH CHANANA

..... Petitioner

Through: Ms. Mahika Verma & Mr. Rohit
Kaliyar, Advocates

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Ms. Mallika Parmar for Ms. Richa
Kapur, ASC with Inspector Parveen
Kumar, EOW for respondent No.1
Mr. Shiv Chopra, Advocate for
respondent No.2

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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25.10.2016

On the complaint of respondent No.2, the present FIR No.7/15 under Sections 354(D)/509 of the Indian Penal Code ('IPC'), 1860 and Sections 66A/66C/67 of Information Technology Act, 2000 ('IT Act') was registered at PS:EOW, New Delhi.

Respondent No.2 has alleged in the FIR that his daughter, Ms. Nitya Khanna, is studying in London. Prior thereto, she had studied at Pearl Academy of Fashion in Delhi from August, 2013 till May, 2014. In the month of July, 2014, Ms. Nitya Khanna received sexual and life-threatening

messages on her e-mail from some unknown person. The same messages were also received by him on his e-mail ID. The messages emanated from manthan.bhatia@hotmail.com and nileb@gmail.com. The said e-mails were also forwarded to educational institutions of Ms. Nitya Khanna. Earlier also, similar messages were received, in respect whereof a complaint, dated 30th July, 2014, was made, and during the investigation, it was revealed that it was the petitioner, who was classmate of Ms. Nitya Khanna, had been sending the e-mails. It was further alleged that the Facebook account of Ms. Nitya Khanna was also misused by sending the messages to her. The petitioner confessed to his wrongdoings and apologised, accordingly, he was pardoned, but again started sending similar messages.

It is submitted that the petitioner, respondent No.2 and Ms. Nitya Khanna have settled the matter vide Memorandum of Understanding/Settlement dated 8th January, 2016, duly signed by each of them. Respondent No.2 is present in Court and has identified his signatures as well as that of Ms. Nitya Khanna. Respondent No.2 submits that he has instructions from Ms. Nitya Khanna to submit that she has no objection in case the above FIR is quashed, in view of the compromise.

Keeping in mind that the petitioner is of young age and is a student and has apologised for his acts, with the assurance that he will not repeat the same in future and further that respondent No.2 and Ms. Nitya Khanna and further that respondent No.2 is not interested in pursuing the FIR any further, in the interest of justice FIR No.7/15 under Sections 354(D)/509 of the IPC and Sections 66A/66C of the IT Act registered at PS:EOW, New Delhi, which is at the investigation stage, is quashed, in view of the settlement, subject to however petitioner depositing Rs.50,000/- with the Prime Minister's Relief Fund within two weeks. The receipt be produced before the Investigating Officer.

The petition is disposed of in the above terms. *Dasti.*

A.K. PATHAK, J

OCTOBER 25, 2016

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