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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CRL.M.C. 154/2016
WASIM RAZA ZAIDI

..... Petitioner

Through: Mr Anup Kumar Sinha and Mr Arun
Kumar, Advs. alongwith petitioner in person

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Mr Ashok Kumar Garg, Additonal Public
Prosecutor for the State
Counsel for the respondent
no.2/complainant (presence not given)
alongwith complainant in person

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

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13.01.2016

This is a petition u/s 482 Cr.P.C. moved by the petitioner for quashing of FIR No.748/2015 registered at Police Station I.P. Estate, New Delhi under Section 354(A) IPC and consequent proceedings emanating therefrom on the ground that the parties have compromised the matter.

The FIR in the instant case was registered on the basis of a complaint made by respondent No.2/complainant – Ms. Yogita Baxla on 03.12.2015 she came to Pant Hospital for medical check-up of her brother and contacted the petitioner Wasim. The doctor checked up her brother and referred for Ecko test. The petitioner took her to Lok Nayak Hospital and at 1.30 pm he forcibly kissed her. She objected many times and asked him to go down stairs. In the meanwhile the security guard came there and took them to security office. She further stated that she want action against the petitioner.

The respondent No.2/complainant – Ms.Yogita Baxla is present in person (duly identified by her counsel) and submits that she has amicably resolved all disputes with the petitioner voluntarily without there being any threat, coercion or pressure of any sort and in view of the settlement arrived at between the parties, she does not want any action against the petitioner and does not have any objection to quashing of the instant FIR.

Mr Ashok Kumar Garg, Additonal Public Prosecutor for the State submits that in view of the settlement arrived at between the parties, he has no objection to quashing of FIR, but since the State machinery has been set in motion on account of objectionable acts of the petitioner, it is

submitted that the petitioners be burdened with some cost.

Keeping in view the facts that the parties have compromised the matter with each other amicably, no useful purpose would be served by continuing the criminal proceedings against the petitioners, which will only be an exercise in futility and wastage of precious time of the Court .

Accordingly, the petition is allowed and the FIR No.748/2015 registered at Police Station I.P. Estate, New Delhi under Section 354(A) IPC and consequent proceedings emanating therefrom are hereby quashed subject to cost of Rs.10,000/- to be deposited by the petitioner with Advocates Welfare Fund within 15 days. Receipt of the same be placed on record.

The petition stands disposed of accordingly.

A copy of this order be given *dasti* to counsel for the petitioner.

SUNITA GUPTA, J

JANUARY 13, 2016rd