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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CRL.M.C. 1310/2016
RAVI MISHRA

Through Mr Rahul Kumar Singh, Adv. alongwith
petitioner in person

..... Petitioner

versus

STATE OF NCT OF DELHI & ORS.

Through Mr Ashok Kumar Garg, Additional Public
Prosecutor for the State alongwith Sub
Inspector Pradeep Singh Police Station Uttam
Nagar, Delhi
Mr S.K. Bhardwaj and Mr Siddhesh Roy, Adv.
for R2 alongwith R2 in person alongwith her
mother

..... Respondent

CORAM:
HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

% 04.04.2016

Crl. MA 5602/2016 (exemption)

Exemption allowed subject to all just exceptions.

The application stands disposed of.

Crl. MC 1310/2016

This is a petition u/s 482 Cr.P.C. moved by the petitioner for quashing of FIR No.23/2013 registered at Police Station Uttam Nagar, New Delhi under Section 8 of POCSO Act and consequent proceedings emanating therefrom on the ground that the parties have compromised the matter.

It is submitted by counsel for the petitioner that both the parties have settled their disputes and a compromised deed has been executed between them on 07.07.2015 which is filed with the petition and is at pgs. 29 – 30 as such it is prayed that the instant FIR be quashed.

The respondent No.2/complainant, who is present in person (duly identified by the Investigating Officer of the case as well as her counsel) 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, Additional Public Prosecutor for the State opposes the petition on the ground that it is a very old case pertaining to the year 2013 and that in case the present FIR

is quashed, the petitioner be burdened with some costs.

As per the allegations made in the FIR, petitioner is none other than uncle of the prosecutrix/respondent no.2 and sexually molested her. As such, he does not deserve any leniency, however, counsel for respondent no.2 submits that respondent no.2 is going to get married and keeping in mind close relationship between the parties to maintain cordial relations in future, petitioners have arrived at a settlement. As such, in larger interest of the parties, this matter deserves to be given a quietus as continuance of proceedings arising out of the FIR in question would be an exercise in futility and wastage of precious time of the Court.

Accordingly, the petition is allowed and the FIR No.23/2013 registered at Police Station Uttam Nagar, New Delhi under Section 8 of POCSO Act and consequent proceedings emanating therefrom are hereby quashed subject to payment of Rs.25,000/- as costs which be deposited by the petitioner with Delhi High Court Legal Services Committee within two weeks from today. Copy of receipt of deposit of cost 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

APRIL 04, 2016/*rd*