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

\+ W.P.(CRL) 1275/2016

AMIT KUMAR

..... Petitioner

Represented by: Mr. Pradeep Kumar Arya, Mr. Vijay Kumar, Ms. Sarika Soam, Advs.

versus

STATE (GOVT OF NCT) & ANR

..... Respondent

Represented by: Mr. Ashish Aggarwal, ASC with SI Beena, PS Subzi Mandi.
Mr. Suman Tanwar, Adv. for R-2.

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

O R D E R

% 07.10.2016

By the present petition the petitioner seeks quashing of FIR No. 388/2015 under Sections 354A/354D/506/509 IPC registered at PS Subzi Mandi, Delhi on the complaint of Respondent No.2 on the ground that the parties have settled the matter.

Learned counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR petitioner is the only accused and respondent No.2 the only complainant/ victim. He states that despite the fact that parties have entered into a settlement and the FIR in question could

be quashed, however the same would not be treated as a bar on proceeding against the petitioner in departmental proceedings which have been initiated.

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that she has settled the matter with the Petitioner and do not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

As per the FIR lodged by respondent No.2 who is a woman Constable it was alleged that the petitioner who was also posted at PS Tis-Hazari security had been regularly following her using filthy language and making advances to make physical relations with her. He even threatened to defame the respondent No.2 in the society. In this regard respondent No.2 had also made complaint to the senior officers including the DCP concerned.

Though this Court deems it fit to quash the FIR as no useful purpose would be served in continuing with the same and there is no legal impediment in quashing the FIR, however considering the allegations and the nature of offence committed by the petitioner who is a member of a disciplined force, it would be in the interest of justice to impose cost on the petitioner.

Consequently, FIR No. 388/2015 under Sections 354A/354D/506/509 IPC registered at PS Subzi Mandi, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioner paying a cost of ₹50,000/- to the Prime Minister's Relief Fund within a period of four weeks. It is clarified that quashing of FIR No.388/2015 will in no way affect the departmental proceedings against the petitioner.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

The petition is disposed of. Order dasti.

MUKTA GUPTA, J.

OCTOBER 07, 2016
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