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

+ **W.P.(CRL) 502/2017**

OMVIR SINGH Petitioner

Through: Mr. D.D. Tripathi, Adv.

versus

STATE (NCT OF DELHI) & ANR Respondents

Through: Mr. Rajesh Mahajan, ASC for the
State along with SI Kajal Ravi, P.S.
Vikaspuri.

Mr. D.D. Tripathi and Mr. Vishal
Tiwari, Advs. for R-2 along with R-2
and her mother-Smt. Sunita in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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15.02.2017

Crl. M.A. 2667/2017

Delay in re-filing is condoned.

Application is disposed of.

W.P. (Crl.) 502/2017

Respondent no.2 is aged about 16 years, thus, she is being represented through her mother, namely, Smt. Sunita. Present FIR No. 538/16 has been registered at police station Vikas Puri on the complaint of respondent no.2. Respondent no.2 and her mother are present in Court and have been identified by SI Kajal Ravi of police station Vikas Puri. They submit that the matter has been settled between them and petitioner vide Memorandum

of Understanding (MOU) dated 3rd January, 2017. The MOU has been signed by the mother of respondent no.2. Respondent no.2 and her mother submit that matter has been settled by them out of their own free will and without any undue force, pressure or coercion.

Learned ASC for the State submits that mobile phone was recovered, however, no video clipping was found therein. He further submits that mobile phone has been sent to FSL and investigations are still going on.

Keeping in mind that complainant (respondent no.2) as well as her mother have settled the matter with the petitioner and do not wish to pursue the FIR any further, the interest of justice, FIR No. 538/2016 under Sections 354(C) IPC and 12 of POSCO Act registered at police station Vikas Puri, which is at the investigation stage, is quashed, subject to, however, petitioner depositing cost of ₹20,000/- with the Delhi High Court Bar Association Lawyers' Social Security & Welfare Fund, New Delhi within two weeks. Receipt, evidencing deposit of cost, be handed over to the Investigating Officer.

Writ petition is disposed of.

A.K. PATHAK, J.

FEBRUARY 15, 2017/ga