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

+ CRL.M.C. 944/2017

ANUPAM BALI

..... Petitioner

Through: Ms. Priyanka Bharihoke, Advocate with  
Ms. Asha Advocate along with petitioner in  
person.

versus

THE STATE & ANR

..... Respondents

Through: Ms. Aashaa Tiwari, APP for the State  
with SI Rambriksh, P.S. Kalkaji Mandir, Delhi.  
Mr. Harsh Prabhakar, Advocate with Mr. Anirudh  
Tanwar, Advocate for R-2 along with respondent  
No.2 in person.

**CORAM:**

**HON'BLE MR. JUSTICE VINOD GOEL**

**ORDER**

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**28.08.2017**

1. Status report has been filed.
2. Respondent No.2 is being represented by her counsel. She is duly identified by the SI Ram Briksh.
3. The petitioner has approached this court under Section 482 of the Code of Criminal Procedure, 1973 (in short 'Cr.PC') for quashing of the FIR bearing No.121/2015, registered against him on 16.11.2015 with Police Station Kalka Ji Mandir Metro, Delhi under Section 354D/341 IPC on the complaint of respondent No.2.

4. On making reference by the learned MM, Mahila Court, Saket, New Delhi, the petitioner and the respondent No.2 appeared before the learned Mediator, Delhi Mediation Centre, Saket Courts, New Delhi. On 31.01.2017, they have amicably resolved and settled all their disputes. The petitioner had tendered unconditional apology to the respondent No.2 which was accepted by her. The petitioner assured the respondent No.2 that such incident would never be repeated in future.
5. The terms and conditions as recorded by the learned Mediator on 31.01.2017 are as under:-
  - “1. The second party Shri Anupal Bali Kumar has tendered unconditional apology to the first party Ms. Komal Kharbanda which is accepted by the first party.
  2. It is undertaken by the second party that the incident of the present matter will not be repeated by him in future.
  3. It is also agreed that the first party will make necessary statement before the learned referral court in favour of the above-named second party for consideration of the learned court whereafter the learned court may pass appropriate orders in the matter and/or for quashing of FIR.
  4. It is also agreed that in the event of parties’ moving before Hon’ble High Court of Delhi for quashing of the present FIR, the said petition will be filed by the second party within two months from today entirely at his own cost and expenses. It is agreed that the first party will cooperate the second party at all stages and will also appear before Hon’ble High Court of Delhi for making necessary statements as and when required by the court.
  5. It is also agreed that no amount is being paid by the second party to the first party in connection with the present matter and/or on account of litigation expenses and otherwise.”

6. The respondent No.2 present in the Court states that she has amicably settled the matter with the petitioner. She submits that in view of the settlement, she does not want to pursue the said FIR. She further submits that the said FIR may be quashed.
7. The petitioner present in the court undertakes that he shall not repeat such behaviour in future. His undertaking is hereby accepted. Learned counsel for the petitioner has relied upon the judgment of this Court in the case of “**Mukesh Vs. State (Govt. of NCT of Delhi), 2017 SCC Online 8063**” wherein the FIR involving offence u/s 354-D of IPC was quashed by this Court on the basis of settlement.
8. Learned APP through the I.O. submits that the charge sheet has been filed but charges have not been framed against the petitioner.
9. In the circumstances, when the matter has been settled between the parties, no purpose would be served in further pursuing with the said FIR. Hence, to secure ends of justice, the FIR bearing No.121/2015, registered on 16.11.2015 with Police Station Kalka Ji Mandir Metro, Delhi under Section 354D/341 IPC and proceedings arising out of the same are hereby quashed.
10. The petition is disposed of accordingly.
11. *Dasti.*

**VINOD GOEL, J.**

**AUGUST 28, 2017**

*“sandeep”*