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

+ **CRL.M.C. 1700/2017**

TAMANNEY

..... Petitioner

Represented by: **Mr. Muntazir Mehdi, Advocate**
with petitioner in person.

versus

STATE & ORS

..... Respondents

Represented by: **Mr. Ashok K. Garg, APP for**
the State with **ASI Jai Singh,**
PS Inderpuri nd SI Bhoop
Singh, Spl, Branch.
Mr. Himanshu Thukral and Mr.
Sunil Yadav, Advocates for
respondent No. 2 with
respondent No.2 and her
parents in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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27.04.2017

Crl. M.A. No. 6891/2017 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 1700/2017

By the present petition the petitioner seeks quashing of FIR No. 361/2015 under Sections 354 IPC and Section 12 of the Protection of Children from Sexual Offences Act, 2012 (in short 'POCSO Act') registered at PS Inder Puri, Delhi on the complaint of Respondent No.2 and the

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proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned APP for the State on instructions submits that the above noted FIR was registered on the complaint of respondent No. 2 who is a minor and is represented through her father, the natural guardian and besides respondent No.2 there is no other victim and besides the petitioner there is no other accused in the above noted FIR. Though respondent No.2 in her statement under Section 164 Cr.P.C. stated that an injury was inflicted to her father however, during investigation it was revealed that the father of respondent No.2 was not present at the place of incident and only the allegations in the FIR were substantiated.

Father and mother of Respondent No.2 are present in Court and are identified by the learned counsel and the Investigating Officer. They state that since the petitioner has apologised to them and their minor daughter and has assured that no such misbehaviour will take place in future, with the intervention of the common friends and neighbours the matter has been settled between the parties. They also state that in view of the settlement arrived at between the parties they do not wish to pursue the above noted FIR and the proceedings pursuant thereto in the best interest of the minor child.

Petitioner who is present in Court and is identified by learned counsel affirms the statements of parents of respondent No. 2. Tendering his unqualified apology he assures that no such misbehaviour will take place in future. To show remorse the petitioner undertakes to deposit cost as well.

In view of the fact that the parties have amicably resolved their differences of their own free will, volition and without any coercion and no useful purpose will be served in continuance of the proceedings, it would be in the interest of justice and in the best interest of the minor child, to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 361/2015 under Sections 354 IPC and Section 12 of the Protection of Children from Sexual Offences Act, 2012 (in short 'POCSO Act') registered at PS Inder Puri, Delhi and proceedings pursuant thereto are hereby quashed, subject to the petitioner depositing costs of ₹10,000/- with the Juvenile Justice Fund maintained by the Registrar General of this Court within four weeks.

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

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

APRIL 27, 2017

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