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

+ **CRL.M.C. 2688/2017**

RAJESH PORWAL

..... Petitioner

Through: Mr. Satya Prakash Gautam, Adv.
along with petitioner in person.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Mr. M..S. Oberoi, APP with SI
Sanjeev Kumar, P.S. Vivek Vihar.
Ms. Jyoti Sheel, Adv. for R-2 along
with R-2 in person with her father-
Sikandar.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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22.11.2017

It is submitted that petitioner and respondent no.2 are neighbours. Matter has been settled between the petitioner and respondent no.2 with the intervention of their common friends and family members, therefore, FIR No. 198/2016 under Section 354-A IPC and Section 8 of POCSO Act registered at police station Vivek Vihar, on the complaint of respondent no.2, may be quashed.

In the FIR, respondent no. 2 has alleged that petitioner had pulled her hand. He would also tease her. Subsequently, in her statement under Section 164 Cr.P.C., she added that petitioner touched her breast also.

Respondent no.2 is now aged about 16 years. Her father, namely,

Sikandar is present in Court. Respondent no.2 and her father have been identified by SI Sanjeev Kumar of police station Vivek Vihar. Father of the respondent no.2 submits that he and her daughter have settled the matter with the petitioner who is their neighbour, of her own free will and without any undue force, pressure or coercion. Respondent no.2 and her father submit that in view of the settlement they are not willing to pursue the FIR any further and the same may be quashed.

Keeping in mind that a settlement has been arrived at between the petitioner and private respondent voluntarily; petitioner has no past criminal record, in the interest of justice, aforesaid FIR and the consequent proceedings emanating therefrom are quashed, subject to costs of ₹30,000/- to be deposited by the petitioner with Delhi High Court Staff Welfare Fund, within two weeks. Receipt, evidencing deposit of costs, be produced before the Investigating Officer.

Petition is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

NOVEMBER 22, 2017

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