

\$~27

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3032/2017**

POOJA PAPREJA & ORS. Petitioners
Through: Mr. Paritosh Anil and Mr. C. K. Sharma,
Advocates with petitioners in person.

versus

STATE (NCT OF DELHI) & ANR. Respondents
Through: Mr. Akshai Malik, APP for the State with
ACP Saurabh Chandra, PS-Bawana and
Inspector Ajay Kumar, PS-Begumpur.
Mr. Alind Srivastava, Advocate with
respondent No. 2.

CORAM:
HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER
% **30.08.2017**

The instant petition has been filed by the petitioners seeking quashing of FIR No.354/2016 under Sections 3(i)(r)(s) SC/ST (Prevention of Atrocities) Act registered at Police Station-Begumpur, Delhi, on the complaint of respondent No.2 and the proceedings pursuant thereto.

Learned counsel for the petitioners submits that the parties have settled their disputes in terms of Memorandum of Understanding dated 24.07.2017 and seek to quash the FIR in the present case.

Learned APP for the State opposed the quashing of FIR as the same involves SC/ST (Prevention of Atrocities) Act, which is a non-compoundable offence.

Learned counsel for the petitioner submits that this Court has inherent power under Section 482 Cr.PC to quash the FIR in question and reliance

has been placed upon orders passed by this Court in ***Crl. M. C. 903/2013 titled as Jeetwani & Ors. Vs. State of Delhi & Ors. decided on 16.02.2016*** and also in ***Crl. M. C. 3649/2015 titled as Om Prakash Sharma & Ors. Vs. State and Anr. decided on 18.12.2015.***

I heard the learned counsel for the parties and perused the material available on record.

Respondent No.2, who is present in Court today, is identified by the Investigating Officer. He states that he has settled the matter with the petitioners with his own free will and choice without any threat, pressure and coercion. He further submits that she has been paid the entire amount against his all claim and he does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto.

Statements of the parties have been recorded separately.

Quoting the judgments of ***Gian Singh v. State of Punjab (2012) 10 SCC*** Apex Court and ***Narinder Singh v. State of Punjab (2014) 6 SCC 466*** in ***Crl. M. C. 903/2013 titled as Jeetwani & Ors. Vs. State of Delhi & Ors.*** and ***Crl. M. C. 3649/2015 titled as Om Prakash Sharma & Ors. Vs. State and Anr.***, the Coordinate Bench of this Court has quashed the case FIR wherein the offences under Sections of the SC/ST (Prevention of Atrocities) Act were involved.

Keeping in view the facts, decision rendered by the other bench of this Court and parties have amicably resolved their differences voluntarily and of their own free will and without any coercion, pressure, and no useful purpose will be served in continuance of the proceedings. It would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in

question. Consequently, FIR No.354/2016 under Sections 3(i)(r)(s) SC/ST (Prevention of Atrocities) Act registered at Police Station-Begumpur, Delhi and proceedings pursuant thereto are hereby quashed.

The present petition is disposed of.

SANGITA DHINGRA SEHGAL, J

AUGUST 30, 2017

gr