

\$~8

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

+ CRL.M.C. 3310/2017

MOHD NAUSHAD @ GUDDU Petitioner

Through: Mr.Anand Maheshwari &
Mr.Parveen, Advocates
with petitioner in person

versus

STATE & ANR Respondents

Through: Mr.Sanjeev Sabharwal, APP for the
State with SI Lalit Kumar PS DBG
Road
Mr.Navin Gupta, Advocate for R-2
with R-2 in person

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **12.10.2017**

1. This petition has been filed by the petitioner under Section 482 Cr.P.C. praying for quashing of FIR No.110/2013 under Sections 354-D/509 IPC and under Section 66-A of Information Technology Act registered at PS New DBG Road, Delhi and the proceedings emanating therefrom on the basis of settlement between the parties.

2. Briefly stating, the facts of the case FIR No.110/2013 has been registered on the basis of complaint made by the Respondent No.2/complainant, Mrs. Lily Malhotra, regarding missed calls and SMSs being received by her from mobile number 9871169618. The contents of the SMSs were threatening and unsociable. She reported the matter to the police.

3. During investigation, it was revealed that Respondent No.2/complainant, Mrs. Lily Malhotra is an ex-employer of the Petitioner

and the Petitioner had been working at her boutique situated at 3C/25, New Rohtak Road, New Delhi for about 3 years. During the stage on trial, the Petitioner, on realizing his misconduct contacted the Respondent No. 2/complainant to admit his guilt and sought forgiveness. The Respondent No.2/complainant accepted the Petitioner's unconditional apology and agreed to file her no objection affidavit.

4. The parties arrived at an amicable settlement vide Memorandum of Understanding dated 9th October, 2017 and copy of the said Memorandum of Understanding has been placed on record.

4. Respondent No.2/complainant, who is present in person, submits that she has no objection if the FIR in question is quashed qua the Petitioner.

5. In view of the legal position laid down in *Gian Singh v State of Punjab & Anr. 2012 (9) SCALE 257* and amicable settlement arrived at between the parties, I am of the considered view that no useful purpose would be served by continuing the criminal proceedings against the petitioners, which will only be an exercise in futile and wastage of precious time of the Court.

6. Accordingly, in terms of the settlement case FIR No.110/2013 under Sections 354-D/509 IPC and under Section 66-A of Information Technology Act registered at PS New DBG Road, Delhi and consequential proceedings arising therefrom are hereby quashed.

Order dasti, as prayed.

PRATIBHA RANI, J.

OCTOBER 12, 2017

'st'