

\$~10

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

+ CRL.M.C. 4130/2017

ANIL KUMAR

..... Petitioner

Through: Mr.Durgesh Pal, Advocate with
petitioner in person.

versus

STATE & ANR

..... Respondents

Through: Ms.Kusum Dhalla, APP for the
State/R-1 with W/PSI Pooja
Chaudhary, PS Mayur Vihar.
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

%

11.10.2017

Crl.M.A.No.16571/2017

1. Exemption allowed subject to all just exceptions.
2. Application is disposed of.

CRL.M.C. 4130/2017

1. This is a petition filed by the Petitioner under Section 482 CrPC seeking quashing of FIR No.572/2014 under Section 376 IPC and under Section 6 of POSCO Act, PS Mayur Vihar, Delhi, on the basis of settlement arrived at between the parties.
2. Notice. Learned APP for the State/R-1 accepts notice.
3. Attention of learned counsel for the petitioner has been drawn to the decision of the Supreme Court in Gian Singh v State of Punjab & Anr. 2012

CRL.M.C. 4130/2017

Page 1 of 2

(9) SCALE 257 as per which, the FIR registered with allegations of rape cannot be quashed.

4. In view of the legal position as enumerated in Gian Singh v State of Punjab & Anr. (Supra), learned counsel for the petitioner seeks leave to withdraw the instant petition.

5. Accordingly, the instant petition is dismissed as withdrawn.

PRATIBHA RANI, J.

OCTOBER 11, 2017

'st'