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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 4292/2017 CRL.M.A. 17229/2017 CRL.M.A. 17230/2017
BASANT GUPTA Petitioner

Through Mr. Vikram Panwar, Mr. Pradeep
Kumar Dabas, Advs.

versus

STATE GOVT OF NCT OF DELHI & ANR Respondent
Through Mr. Raghuvinder Varma, APP for
State with ASI Ramlakhan, No.
327/North, PS Roop Nagar.
Mr. Pradeep Dabas, Adv. for R2.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
% **24.10.2017**

CRL.M.A. 17229/2017 and CRL.M.A. 17230/2017

CRL.M.A. 17229/2017 and CRL.M.A. 17230/2017 are applications filed on behalf of the petitioner seeking exemption from filing certified copies and the illegible / dim copies of the documents respectively. The same are allowed, subject to just exceptions.

The applications are disposed of.

CRL.M.C. 4292/2017

Learned APP for State accepts notice of the petitioner.

Vide the present petition, the petitioner seeks quashing of FIR No. 18/12 dated 13.02.2012 PS Roop Nagar, registered under Sections 23 & 26 of the Juvenile Justice (Care and Protection of Children) Act, 2000 and

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under Sections 3 & 14 of the Child Labour (Prohibition & Regulation Act, 1986 and all consequential proceedings pending before the learned ACMM-02, Central, Delhi in relation thereof, submitting *interalia* to the effect that a settlement has been arrived at between the petitioner and the respondent no.2 and no useful purpose would be served by continuing the proceedings in question.

A further submission has been made on behalf of the petitioner that FIR No. 18/12 dated 13.02.2012 PS Roop Nagar, registered under Sections 23 & 26 of the Juvenile Justice (Care and Protection of Children) Act, 2000 and under Sections 3 & 14 of the Child Labour (Prohibition & Regulation Act, 1986 itself incorporated that the minor child had categorically stated that she was not interested in working at the residence of the petitioner and she had been brought for work in December, 2010 by her uncle Ashish and she was scolded by the petitioner and thus she had made a call to the police pursuant to which the above FIR is indicated to have been registered.

It has also been submitted on behalf of the petitioner that a settlement has been arrived at between the parties and the petitioner Mr. Basant Gupta had paid a sum of Rs. 61,872/- towards the amount of interim compensation before the Child Welfare Committee on 28.02.2012 to Smt. Anita, mother of the respondent no. 2 Ms. Yashoda, aged 16 years vide DD no. 843028 dated 24.02.2012 and a true copy of the said proceedings has been submitted on behalf of the petitioner, taken on record.

IO ASI Ramlakha has identified the respondent no. 2 Ms. Yashoda, aged 16 years present in the court and her mother Smt. Anita, who is also present in the court and his statement to that effect has been recorded. The

statement of Smt. Anita has been recorded on oath.

There appears no reason to disbelieve that the settlement arrived at between the parties, has been arrived at voluntarily.

On a perusal of the averments made in the FIR and the statements made on behalf of either side and taking into account the factum that there is no opposition on behalf of the State to the petition being allowed, it would be appropriate in the interest of justice that the prayer made by the petitioner seeking quashing of FIR No. 18/12 dated 13.02.2012 PS Roop Nagar, registered under Sections 23 & 26 of the Juvenile Justice (Care and Protection of Children) Act, 2000 and under Sections 3 & 14 of the Child Labour (Prohibition & Regulation Act, 1986 is allowed and that the said FIR and consequential proceedings before the ACMM-02, Central, Delhi are quashed.

Thus the CRL.M.C. 4292/2017 is disposed of accordingly and the FIR No. 18/12 dated 13.02.2012 PS Roop Nagar, registered under Sections 23 & 26 of the Juvenile Justice (Care and Protection of Children) Act, 2000 and under Sections 3 & 14 of the Child Labour (Prohibition & Regulation Act, 1986 and all consequential proceedings emanating therefrom are quashed.

ANU MALHOTRA, J

OCTOBER 24, 2017/MK