

\$~29

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

+ CRL.M.C. 4597/2017

SAGAR @ GAURAV & ANR

..... Petitioners

Through: Mr.Sarvesh and Mr.Anubhav Dubey,
Advs.

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Through: Ms.Anita Abraham, APP for State /
respondent No.1 with SI Deepak
Panwar from PS-Hazrat Nizamuddin.
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

13.12.2017

%

The instant petition has been filed by the petitioners seeking quashing of FIR No.713/2014, registered at Police Station-Hazrat Nizamuddin for the offences punishable U/s 354-D/34 of Indian Penal Code, 1860 (in short 'IPC') and Section 12 of The Protection of Children from Sexual Offences Act (in short 'POCSO Act'), 2012, on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that a compromise/settlement dated 31.10.2017 has been arrived at between the parties in the matter.

Respondent No.2 is present in Court today. She states that she has settled the matter with the petitioners with her own free will and choice without any threat, pressure and coercion as per Compromise Deed dated 31.10.2017. Today, she has received a compensation of Rs.40,000/- (forty Thousand only). She further submits that she does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto.

Statements of the parties have been recorded separately.

The question which arises for consideration that whether the FIR in the instant case can be quashed as the Sections of the Protection of Children From Sexual Offences Act, 2012 (POCSO) are involved which are non-compoundable.

In Crl. M. C. No. 1706/2014 titled as *Shri Ravinder Kumar Vs. State*, the Coordinate Bench of this Court had quashed the case wherein the offences under Sections of the Protection of Children From Sexual Offences Act, 2012 (POCSO) were involved.

Keeping in view the facts, decision rendered by the other bench of this Court and the parties have amicably resolved their differences voluntarily and out 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.713/2014, registered at Police Station-Hazarat Nizamuddin for the offences punishable U/s 354-D/34 of Indian Penal Code, 1860 (in short 'IPC') and Section 12 of The Protection of Children from Sexual Offences Act (in short 'POCSO Act'), 2012, and proceedings pursuant thereto are hereby quashed.

The petition is disposed of.

Copy of this order be given *dasti* under the signature of Court Master.

SANGITA DHINGRA SEHGAL, J

DECEMBER 13, 2017/ssc