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

+ W.P.(CRL) 3425/2017

VAIBHAV VERMA

..... Petitioner

Through: Mr.Atul Guleria & Mr.Amit Kaushik,
Advocates with petitioner in person

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Through: Mr.Rajesh Mahajan, ASC for the
State with SI Govind Singh PS Uttam
Nagar
Respondent No.2/complainant in
person

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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07.12.2017

1. The present writ petition has been filed by the Petitioner under Article 226 of the Constitution of India read with Section 482 Cr.P.C. for quashing of case FIR No.606/2017, under Sections 354/354-D/506 IPC, registered at P.S. Uttam Nagar, Delhi and consequential proceedings arising therefrom on the basis of settlement.

2. Brief facts, as stated in the FIR, are that petitioner used to visit the house of the respondent No.2 in the capacity of so called brother and the respondent No.2 used to tie him Rakhi. But for the last few months he is threatening her to take divorce from her husband otherwise he will kill her.

On 24th August, 2017 he tried to make relation forcefully and also slapped her. It is also mentioned in the FIR that he has also given beatings as well tried to rape her on many occasions.

3. Learned counsel for the petitioner submits that both the parties have arrived at an amicable settlement out of their own sweet will, without any pressure and force from any corner. The copy of Memorandum of Understanding is also annexed with this petition as Annexure P-2.

4. The FIR registered against the present petitioner is for committing the offences punishable under Section 354 IPC. Offence punishable under Section 354 IPC is a non-compoundable offence.

5. Learned counsel for the petitioners submits that since the matter in dispute has been amicably settled between the parties, no purpose would be served in prosecuting the petitioner any more, therefore, the FIR may be quashed.

6. Respondent No.2/complainant is present in Court today. She submits that she has amicably settled the dispute with the Petitioner and she is not interested in prosecuting the petitioner. She further submits that she has no objection if the aforementioned FIR and the proceedings emanating therefrom qua petitioner are quashed.

7. 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 petitioner, which will only be an exercise in futile and wastage of precious time of the Court.

8. Accordingly, the petition is allowed and FIR No.606/2017, under Sections 354/354-D/506 IPC, registered at P.S. Uttam Nagar, Delhi and consequential proceedings arising therefrom are hereby quashed.

Order *dasti*.

PRATIBHA RANI, J.

DECEMBER 07, 2017

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