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

+ W.P.(CRL) 2578/2015

KALIM @ BABLU

..... Petitioner

Through: Mr. Arjun Gadhoke, Adv. along with
petitioner in person.

versus

THE STATE & ANR

..... Respondents

Through: Mr. Rajesh Mahajan, ASC with Mr.
Lokesh Chandra, Adv. Along with
W/SI Nirmala, P.S. Shakar Pur.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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05.07.2017

At the time of incident, complainant (respondent no.2) was aged about 16 years and now she is 17 years and 11 months old. She is present in Court along with her mother Ms. Phool Banu. Petitioner is neighbour of respondent no.2. In the FIR, respondent no.2 has alleged that on 27th August, 2015 while she was going on a rickshaw, petitioner stopped the rickshaw and asked her to sit on his scooty and when she refused, he snatched her bag and caught hold of her hand and threatened that he would kidnap her in case she did not accompany him.

It is submitted that petitioner and respondent no.2 have settled the matter with the intervention of their family members. Respondent no.2 submits that she has settled the matter through her father, namely, Mr. Syed

Sarwar Abbas who is presently in Saudi Arabia. Respondent no.2 as well as her mother confirm that settlement has indeed been arrived at between the parties. They further submit that settlement/compromise deed dated 3rd October, 2015 has been executed between the petitioner and father of respondent no.2 voluntarily and without any undue force, pressure or coercion. Respondent no.2 and her mother have identified the signatures of Mr. Syed Sarwar Abbas on the compromise deed.

Keeping in mind that a settlement has been arrived at between the petitioner and the respondent no.2, through her father, and the fact that respondent no.2 and her mother are not willing to pursue the FIR any further, in the interest of justice, FIR No. 1938/2015 under Sections 341/506/354 IPC and Section 8 of POCSO Act and the consequential proceedings emanating therefrom are quashed, subject to cost of ₹15,000/- to be paid with the Delhi High Court Bar Association Lawyers' Social Security & Welfare Fund, New Delhi within two weeks. Receipt, evidencing deposit of cost, be produced before the Investigating Officer.

Petition is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

JULY 05, 2017/ga