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

+ CRL.M.C. 1762/2018

ANURAG CHAUDHARY

..... Petitioner

Through: Mr. M.P. Sinha and Mr. Yogesh
Chauhan, Advs.

versus

STATE(GOVT OF NCT OF DELHI)& ANR Respondents

Through: Ms. Manjeet Arya, APP for State with
ASI Kiran Sethi, P.S. Ranjit Nagar.
Mr. Pakshit Pandey, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **10.04.2018**

By this petition, petitioner has prayed for quashing of FIR No. 370/16 under Sections 376/354A/354D/506/509 IPC and Section 6 of POCSO Act registered at police station Ranjit Nagar on the complaint of respondent no. 2, on the ground that a compromise has been reached between the petitioner and respondent no. 2.

Learned APP has opposed the quashing of FIR in view of the law laid down by the Supreme Court in Gian Singh vs. State of Punjab & Anr. 2010 (12) SCALE 461.

In Gian Singh (supra), Supreme Court has observed thus: "However, before exercise of such power, the High Court must have due regard to the nature and gravity of the crime. Heinous and serious offences of mental

depravity or offences like murder, rape, dacoity etc. cannot be fittingly quashed even though the victim or victims family and the offender have settled the dispute.”

Recently, Supreme Court in Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur Vs.The State Of Gujarat & Anr. MANU/SC/1241/2017 has held as under :-

“In the exercise of the power under [Section 482](#) and while dealing with a plea that the dispute has been settled, the High Court must have due regard to the nature and gravity of the offence. Heinous and serious offences involving mental depravity or offences such as murder, rape and dacoity cannot appropriately be quashed though the victim or the family of the victim have settled the dispute. Such offences are, truly speaking, not private in nature but have a serious impact upon society. The decision to continue with the trial in such cases is founded on the overriding element of public interest in punishing persons for serious offences;.”
(emphasis laid)

For the foregoing reason, I am not inclined to quash the FIR on the ground of compromise having been arrived at between the parties. Petition is dismissed. Miscellaneous applications are disposed of as infructuous.

A.K. PATHAK, J.

APRIL 10, 2018

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