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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 2713/2018 & CrI.M.A. No.9634/2018 (for stay)
VISHAL GROVER Petitioner
Through Mr.Hemant Saini, Adv. with
petitioner in person.

versus

THE STATE OF NCT OF DELHI & ANR Respondents
Through Ms.Iti Pandey, Adv. for Ms.Nandita
Rao, ASC (CrI.) for GNCTD.
Mr.Mukesh Kumar, APP for the
State.
Mr.Medhanshu Tripathi, Adv. with
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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04.12.2018

1. Vide the present petition under Section 482 Cr.P.C., the petitioner seeks quashing of FIR No.652/2016 under Sections 376/506 IPC registered at P.S. Hari Nagar, West Delhi and the proceedings emanating therefrom, on the basis of a Compromise/Settlement Deed dated 6th February, 2018.

2. Learned counsel for the petitioner submits that the petitioner and the respondent no.2 both came into contact with each other in the year 2009 and became very close friends. Thereafter, in the year 2013, they entered into a consensual relationship but when in October, 2016, the petitioner refused to marry the respondent no.2, she made a complaint against the petitioner alleging that despite repeated promises, he had refused to marry her.

3. Learned counsel for the petitioner further submits that a perusal of the complaint in itself shows that the allegations made against the petitioner would, at best, amount to breach of trust but the Investigating Officer for reasons unknown, filed a chargesheet under Sections 376/506 IPC. Furthermore, the parties have now with the intervention of common friends, decided to resolve their disputes amicably and have entered into a settlement dated 6th February, 2018, a perusal whereof shows that the respondent no.2 is also a well qualified 28-year old girl whose only allegation against the petitioner was that despite the parties having entered into a relationship with each other, the petitioner instead of marrying respondent no.2 as promised, had married one Ms.Garima Arora at the asking of his parents. He, therefore, prays that the FIR and all consequential proceedings be quashed.

4. The petitioner as also the respondent no.2 are present in court and have been identified by the Investigating Officer. The respondent no.2 is also represented by a counsel. I have interacted with the respondent no.2 in the Chamber and she has once again clearly stated that she had entered into a consensual relationship with the petitioner but had never made any allegation of rape against him as her only grievance was that under the pressure of his parents, he refused to fulfil the promise of marriage made to her. She also categorically states that she has resolved her disputes with the petitioner out of her own free will and has entered into the settlement dated 6th February, 2018 without any coercion. She prays that the captioned FIR and proceedings emanating therefrom be quashed as she wants to move on

in life and the continuance thereof would not only cause grave hardship to her but would also mar her matrimonial prospects.

5. I have considered the submissions of the learned counsel for the parties and perused the record. Keeping in view the fact that the present FIR emanates out of a misunderstanding between two adults who had decided to get into a relationship voluntarily, which relationship somehow could not culminate into a marriage, as also the fact that the respondent no.2 herself states that her only allegation against the petitioner was of breach of trust and now she herself does not want the criminal proceedings to continue, no useful purpose would be served in continuing with the criminal proceedings when the parties themselves have resolved their disputes amicably and want to move on in life. The ends of justice demand that the FIR and consequential proceedings be quashed.

6. Accordingly, the petition is allowed and the captioned FIR and consequential proceedings are quashed subject to the petitioners paying a sum of Rs.50,000/- as costs to the Delhi High Court Staff Welfare Fund within four weeks. A copy of the receipt of payment of costs will be handed over to the Investigating Officer for production before the Trial Court.

7. The petition and the pending application are disposed of in the above terms.

REKHA PALLI, J

DECEMBER 04, 2018/aa