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

+ CRL.M.C. 3268/2018

PANKAJ KUMAR & ANR Petitioners
Through Mr. Paritosh, Adv.

versus

THE STATE OF DELHI & ORS Respondents
Through Ms. Manjeet Arya, APP with SI
Pushpa, P.S. Anand Vihar
Respondent nos. 2 and 3 in person

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **14.09.2018**

Notice. Learned APP accepts notice for respondent no. 1. Notice could not be issued to private respondents as steps were not taken. However, respondent nos.2 and 3 are present in Court and accept notice. They have been identified by SI Pushpa of police station Anand Vihar.

Respondent no.2 is father of respondent no. 3. FIR No.185/2016 under Sections 323/427/354(D)/509/34 IPC and Section 12 of Protection of Children from Sexual Offence Act, 2012 was registered at Police Station Anand Vihar on the complaint of respondent no. 2. Respondent no. 2 has alleged in the FIR that he along with respondent no. 3 was returning from

Noida on scooty, when he reached near Sai Mandir in front of CBD Ground, two boys (petitioners), who were on a motorcycle, followed them and passed indecent comments. When he asked them as to why they were passing indecent comments, they abused him and hit his scooty. It is submitted that petitioners and respondent nos. 2 and 3 have settled their disputes, of their own free will and without any undue force, pressure or coercion, inasmuch as petitioners have compensated respondent nos. 2 and 3 by paying ₹30,000/- to them towards mental pain, agony and trauma suffered by them. Affidavit of respondent no. 2 has also been filed in support of the petition.

Keeping in mind the settlement arrived at between the petitioners and private respondents voluntarily, in my view, no fruitful purpose would be served to keep the criminal proceedings pending. Accordingly, in the interest of justice, aforesaid FIR and the consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

SEPTEMBER 14, 2018

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