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

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Judgment delivered on:28.08.2018

+ CRL.M.C. 4360/2018

RAKESH SHARMA

..... Petitioner

versus

STATE & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Satinder Singh and Ms. Sunaina Phul, Advs.

For the Respondent : Ms. Neelam Sharma, Addl. PP for
the State with SI Karan Pal, P.S.Hauz Khas
Ms. Shaheen Sheikh, Advocate. for R-2.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

28.08.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl. M. A. 30867/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 4360/2018

1. Petitioner seeks quashing of FIR No. 172/2014 under Sections 354-D/420/511 of the Indian Penal Code (IPC for short) registered at Police Station Hauz Khas, New Delhi, based on a settlement. Charges against the petitioner have been framed under Section 354-D/420 of the IPC.

2. The allegations in the FIR are that the complainant was working as Staff Nurse in AIIMS and the petitioner who was a blood sample collector for a diagnostic lab associated with AIIMS used to come to AIIMS for collection of blood sample of patients. He is alleged to have misbehaved with the complainant which led to the registration of the subject FIR.

3. Learned counsels for the parties submit that the parties have settled their disputes with the intervention of respectable people and friends known to the parties. Memorandum of Understanding dated 07.07.2018 has been executed. Petitioner who is present in Court in person has expressed remorse and regretted his conduct.

4. Respondent Nos.2 /complainant is present in court in person, represented through their counsel and identified by the Investigating Officer. She submits that she has settled with the petitioners and does not wish to press the complaint against him any further.

5. In view of the fact that the disputes between the parties have been settled, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. It would be expedient to quash the subject FIR and the consequent proceedings emanating therefrom.

6. In view of the above, the petition is allowed. FIR No. 172/2014 under Sections 354-D/420 of the IPC registered at Police Station Hauz Khas, New Delhi and the consequent proceedings emanating therefrom are, accordingly quashed subject to the petitioner depositing cost of Rs.10,000/- with the “*Chief Minister’s Distress Relief Fund*”, Kerala within two weeks. The receipt of deposit of the costs imposed by this Order be furnished to the concerned Investigating Officer within a period of three weeks from today.

7. Order *Dasti* under signatures of the Court Master.

AUGUST 28, 2018
‘rs’

SANJEEV SACHDEVA, J

नस्यमेव जयते