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

+ W.P.(CRL) 2831/2016 & Crl.M.A.No.15142/2016

SAGAR BHOLA

..... Petitioner

Through

Mr.Rajeev Kumar, Advocate

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Through

Ms.Asha Negi for Ms.Richa Kapoor,
ASC with WSI Rajni.

Complainant/respondent no.2 in
person.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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09.02.2018

Petitioner is seeking quashing of the present FIR i.e. the FIR No.592/2016 registered under Sections 354D/506/509 of the IPC and Sections 11(iv) and 11(v) of the POCSO Act at police station Rajouri Garden on the complaint of respondent no.2. Respondent no.2 was a minor on the date of the offence. She had, however, reached the age of discretion being around 17 years of age. Respondent no.2 is present in Court today. She is 19 years of age as on date. Her father is present along with her. It is stated that the FIR had been got registered under misunderstanding of facts and probably not on the right facts as have been disclosed by the complainant. The parties were living as neighbours. The petitioner is present in person. This Court notes his conduct. This Court also notes that the elder brother of the petitioner is present. Petitioner has now shifted his residence.

He is now not living in the vicinity where he was residing earlier.

Learned counsel for the State points out that charge sheet has since been filed and in fact charges have also been framed. Learned counsel for the petitioner, however, states that in view of the settlement arrived at between the parties and the complainant (who has been accompanied by her father) making a positive statement that she does not wish to press this complaint any further as the complaint has been made because of the misunderstanding of facts, this would be an exercise in futile in keeping this FIR proceedings alive.

Keeping in view the narration of facts to secure ends of justice, the prayer made in the petition should be allowed. Accordingly, FIR No.592/2016 registered under Sections 354D/506/509 of the IPC and Sections 11(iv) and 11(v) of the POCSO Act at police station Rajouri Garden on the complaint of respondent no.2 and all the proceedings emanating therefrom stand quashed. Petitioner shall perform car sewa in Gurudwara Seesh Ganj for one hour for a continuous period of 10 days from 10.02.2018. The Investigating Officer will monitor this exercise.

Petition disposed of in the above terms.

INDERMEET KAUR, J

FEBRUARY 09, 2018
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