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

+ **W.P.(CRL) 3033/2018**

NARESH KUMAR @ MANNU

..... Petitioner

Represented by: **Mr. J.A. Chaudhary and Mr.
M.K. Parvez, Advocates.**

versus

STATE & ANR.

..... Respondent

Represented by: **Mr. Rajesh Mahajan, ASC with
Ms. Jyoti Babbar, Advocate
with SI Sunil Kumar, PS
Govind Puri.
Mr. Ankit Gupta, Advocate for
R-2.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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05.10.2018

Crl.M.A. No. 33560/2018 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioner seeks quashing of FIR No. 798/2014 under Sections 354/363/506 IPC and Section 8 of Protection of Children from Sexual Offence Act, in short 'POCSO Act' registered at PS Govind Puri, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

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Learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the petitioner is the only accused and respondent No.2 is the only complainant/ victim. He further states that at the time of registration of FIR which was lodged on the complaint of respondent No. 2, she was a minor, however, presently she is a major.

Respondent Nos. 2 is present in Court and is identified by the Investigating Officer. She states that she has settled the matter with the petitioner vide the Compromise deed dated 17th September, 2018, copy whereof is annexed at pages 37 to 39 to the present petition. Since the petitioner has apologized to her and assures that no such misbehaviour will take place in future, respondent No. 2 does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioner who is present in Court and is identified by the learned counsel affirms the statement of respondent No.2 and undertakes to abide by the terms of settlement arrived at between the parties. He also tenders his apology and assures that no such misbehaviour will taken place in future. To show remorse he undertakes to deposit cost.

In view of the fact that the parties have amicably resolved their differences of their own free will, volition and without any coercion and no useful purpose will be served in continuance of the proceedings, rather the same would create further acrimony between them, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 798/2014 under Sections 354/363/506 IPC and Section 8 of Protection of Children from Sexual Offence Act, in short 'POCSO Act' registered at PS Govind Puri, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioner depositing a sum of ₹25,000/- with the Chief Minister's Distress Relief Fund, Kerala within three weeks and receipt thereof will be placed on record.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

OCTOBER 05, 2018
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