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

+ **W.P.(CRL) 3694/2016**

ARJUN SINGH

..... Petitioners

Represented by: **Mr. Aakash Nagar and Mr. Suhail Shah, Advocates with petitioner in person.**

versus

STATE & ANR.

..... Respondents

Represented by: **Mr. Avi Singh, Additional Standing Counsel for State and Ms. Purnima Malik, Advocate with W/SI Manoj Kumari, PS Naraina. Mr. Manish Kumar, Advocate for respondent No.2 with respondent No.2 in person.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

04.04.2018

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By the present petition the petitioner seeks quashing of FIR No. 236/2016 under Sections 354/354D/341/323/384 IPC read with Section 12 of the Protection of Children from Sexual Offence Act (in short 'POCSO Act') registered at PS Naraina, Delhi on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the petitioner is the only accused and the respondent No. 2 the complainant/victim. He

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states that no other person is involved in the abovenoted FIR. Learned Additional Standing Counsel for the State further states that at the time of lodging of the FIR respondent No. 2 was a minor and now she is a major. In respect of allegations under Section 384 IPC the complaint of respondent No.2 was that the petitioner used to take money from her on the pretext that he had no money for giving for tuition classes.

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that she has settled the matter with the petitioner vide Memorandum of Understanding dated 21st December, 2016 as the petitioner has apologised and assured that he will not misbehave in future. In terms of the settlement she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

The 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 the settlement arrived at between the parties vide Memorandum of Understanding dated 21st December, 2016, copy whereof is annexed at pages 32-34 of the paper-book and has also apologised to the respondent No.2. Petitioner also ensures that he will not indulge in any misbehaviour in future and to show remorse the petitioner undertakes to deposit some costs also.

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, 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. 236/2016 under Sections 354/354D/341/323/384 IPC read with Section 12 of the Protection of Children from Sexual Offence Act (in short 'POCSO Act') registered at PS Naraina, Delhi and proceedings pursuant thereto are hereby quashed subject to the petitioner depositing a cost of ₹15,000/- with the Juvenile Justice Fund maintained by the Registrar General of this Court within four weeks whereafter the receipt of the same will be filed in the Registry.

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

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

APRIL 04, 2018
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