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

+ CRL.M.C. 5237/2018, CRL MA 34147/2018

NITIN Petitioner

Through Mr. Rajesh Kumar, Adv

versus

STATE & ANR. Respondents

Through Mr. Izhar Ahmad, APP for State
SI Ranbir Singh, PS Nangloi
Respondent no.2 in person along with
victim/Respondent no.3

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **11.10.2018**

Notice. Learned APP accepts notice on behalf of respondent no.1. Respondent no.2 is present in Court and accepts notice. He has been identified by SI Ranbir Singh of police station Nangloi.

Learned APP submits that the complainant, who is minor, has not been impleaded in the present case. She is daughter of respondent no.2 and is present in Court along with her father.

On the oral prayer made by learned counsel for petitioner, victim/complainant is impleaded as respondent no.3. In the amended memo of parties she has been shown as Ms. 'X'.

It is submitted that petitioner and respondent nos.2 and 3 are neighbours. Respondent no.3 had gone to roof in the night where petitioner was present. On seeing the petitioner, respondent no.3 got frightened and shouted whereupon respondent no.2 arrived there. On

seeing respondent no.2, petitioner ran away. It is submitted that with the intervention of their common friends and family members, respondent nos. 2 and 3 have settled the matter with petitioner, therefore, FIR No.342/2018 under section 354 IPC and section 8 of POCSO Act, police station Nangloi, may be quashed.

Compromise Deed dated 1st October, 2018 has been annexed with the petition. Respondent nos. 2 and 3 submit that they have settled the matter with the petitioner of their own free will and without any undue force, pressure or coercion. I have talked to respondent nos.2 and 3, who are present in the Court and find that the matter has been settled between the petitioner and respondent nos. 2 and 3 voluntarily.

Keeping in mind the settlement arrived at between the petitioner and respondent nos.2 and 3 voluntarily, in my view, no fruitful purpose would be served to keep the criminal proceedings pending. Accordingly, in the interest of justice, aforesaid FIR, which is at investigation stage, is quashed against the petitioner.

Petitioner is in custody. He be released forthwith, if not required in any other case.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous. *Dasti.*

A.K. PATHAK, J

OCTOBER 11, 2018/sm