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

+ **W.P.(CRL) 2697/2017**

HIMANSHU & ORS

.... Petitioners

Represented by: **Mr.Vimal Puggal, Advocate**

versus

STATE & ANR

.... Respondents

Represented by: **Ms.Srilina Roy, proxy counsel
for Ms.Nandita Rao, ASC for
the State with W/SI Santosh
Sirohi, PS Kalyan Puri
Mr.M.P.Singh, Advocate for
respondent No.2**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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22.02.2018

Crl.M.A.No.15508/2017 (exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No.254/2016 under Sections 354D/506 IPC read with Section 12 of the Protection of Children from Sexual Offences Act registered at PS Kalyan Puri, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned proxy counsel for learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the
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above-noted FIR the three petitioners are the only accused and respondent No.2 the only complainant/victim. She further states that on the date of registration of FIR the complainant was aged 17 years, 11 months and 25 days and thus she is major as on today.

Respondent No.2 is present in Court and is identified by learned counsel and the Investigating Officer. She states that she has settled the matter with the petitioners vide Compromise Deed dated 8th September, 2017, a copy whereof has been placed as Annexure B to the present petition. She states that she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by learned counsel, affirm the statement of respondent No.2. They undertake to abide by the terms of the Compromise Deed and ensure that no such misbehaviour will take place in future with respondent No.2 or any of her family members and to show remorse, they agree to deposit a sum of ₹10,000/- as costs.

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.254/2016 under Sections 354D/506 IPC read with Section 12 of the Protection of Children from Sexual Offences Act registered at PS Kalyan Puri, Delhi and proceedings pursuant thereto are

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hereby quashed subject to the petitioners abiding by their undertaking of depositing the costs of ₹10,000/- with the Juvenile Justice Fund maintained by Registrar General of this Court within four weeks.

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

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 22, 2018
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