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

+ W.P.(CRL) 3376/2017

SATNAM SINGH & ANR

.... Petitioners

Represented by: Mr.Bharat Bagga, Advocate

versus

THE STATE GOVT OF NCT OF DELHI & ANR ... Respondents

Represented by: Mr.Avi Singh, ASC with
Ms.Purnima Malik, Advocate
for the State.
ASI Mange Ram, PS Tilak
Nagar

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

05.01.2018

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By this petition, the petitioners seek quashing of FIR No.520/2015 under Sections 354/506/34 IPC and Sections 11 and 12 of the Protection of Children from Sexual Offences Act, 2012 (in short POCSO Act) registered at PS Tilak Nagar, 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 two petitioners are the accused and respondent No.2 the complainant and her minor daughter the only victim.

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Respondent No.2, the mother of the victim and the victim, who is a major now, are present in Court and are identified by the Investigating Officer. They state that the dispute arose on an altercation with the petitioners whereafter the matter has been settled between the parties vide MOU dated 23rd November, 2017. Pursuant to the settlement the petitioners have handed over vacant and peaceful physical possession of property bearing No.WZ-36A, Plot No.67, Ground Floor, Vishnu Garden, New Delhi to respondent No.2. Keys of the aforesaid premises have also been handed over to the respondent No.2. Respondent No.2 further states that since the petitioners have assured that they will not interfere in their life, they do not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and also undertake to abide by the settlement arrived at vide MOU dated 23rd November, 2017, a copy whereof has been annexed with the petition as Annexure P-2. They further state that no misbehaviour will take place and they will not interfere in the happy and peaceful life of respondent No.2 and her daughter, the victim. To show remorse they undertake to deposit a sum of ₹5,000/- each with the Juvenile Justice Fund maintained by Registrar General of this Court within four weeks.

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.520/2015 under Sections 354/506/34 IPC and Sections 11 and 12 of the Protection of Children from Sexual Offences Act, 2012 (in short POCSO Act) registered at PS Tilak Nagar, Delhi and proceedings pursuant thereto are hereby quashed subject to both the petitioners depositing ₹5,000/- each 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.

JANUARY 05, 2018
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