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

Date of decision: 31.10.2019

+ CRL.M.C. 5551/2019

MOHD FAIZ KHAN

..... Petitioner

Through Mr.S.S. Drall, Adv.

versus

STATE & ANR.

..... Respondents

Through Mr. Hirein Sharma, APP for State.
Respondent no.2 in person.
SI Surender PS Jamia Nagar.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (O R A L)

CRL. M.A. 39303/2019

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

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3. Vide the present petition, the petitioner seeks direction thereby quashing FIR No.27/2016 dated 11.01.2015, registered at PS – Jamia Nagar, for the offences punishable under Sections 354(D)/506/509 IPC and all other proceedings emanating therefrom.

4. Notice issued.
5. Notice is accepted by learned APP for the State and counsel for the respondent no.2 and with the consent of the counsel for the parties, the present petition is taken up for final disposal.
6. The present petition is filed on the ground that the parties have settled their disputes and the respondent No.2 has no objection if the present petition is allowed.
7. Respondent No.2 is personally present in Court and has been identified by SI Surender/IO and submits that the matter has been settled and she does not wish to prosecute the matter any further.
8. The petitioner and respondent no.2 have entered into an amicable settlement by mutual consent.
9. Learned APP appearing on behalf of the State submits that the trial is at the advanced stage and if this court is inclined to quash the FIR, heavy cost may be imposed upon the petitioner because government machinery came into motion and due to the offences committed by the petitioner, public time has been consumed.
10. At this stage, learned counsel appearing on behalf of the petitioner, on instructions from the petitioner who is present in court, has come forward

and is ready to contribute an amount of Rs.50,000/- towards welfare purposes.

11. Accordingly, the petitioner is directed to pay an amount of ₹50,000/- within two weeks in favour of Blind School, Sewa Kutir, Kingsway Camp, New Delhi, failing which the Registrar General of this court shall ensure the recovery of amount from the petitioner under law applicable.

12. The Principal/Incharge of this school is directed to utilise the said amount for welfare of the needy blind students of the school.

13. Taking into account the aforesaid facts, this Court is inclined to quash the concerned FIR as no useful purpose would be served in prosecuting the petitioner any further.

14. For the reasons afore-recorded, the FIR No.27/2016 dated 11.01.2015, registered at PS – Jamia Nagar, for the offences punishable under Sections 354(D)/506/509 IPC and consequent proceedings therefrom are quashed.

15. The petition is allowed and disposed of accordingly.

16. *Dasti.*

(SURESH KUMAR KAIT)
JUDGE

OCTOBER 31, 2019
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