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

+ CRL.M.C. 1475/2019 & CRL.M.As. 5849-5851/2019

FAIM AHMAD

..... Petitioner

Through: Mr. Pratap Shanker, Mr. S.
Shantanu and Mr. Sanjeev Arora,
Advocates

Versus

STATE & ANR.

.....Respondents

Through: Mr. Izhar Ahmad, Additional
Public Prosecutor for State with
W/SI Veera Sharma
Ms. Rishu Agarwal alongwith
Respondent No. 2 in person.

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
18.03.2019

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Quashing of F.I.R. No. 661/2017, charge-sheet and the charge framed for the offence under Sections 354/354A of IPC r/w Section 12 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Seelampur, Delhi is sought in this petition on the basis of affidavit of 11th March, 2019 of second respondent.

Mr. Izhar Ahmad, Additional Public Prosecutor, accepts notice for respondent No.1-State.

Supreme Court in *Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Vs. State of Gujarat* (2017) 9 SCC 641 has reiterated the parameters for exercising inherent jurisdiction under Section 482 Cr.P.C. for quashing of FIR / criminal complaint, which are as under:-

“16.6. In the exercise of the power under Section 482 and while dealing with a plea that the dispute has been settled, the High Court must have due regard to the nature and gravity of the offence. Heinous and serious offences involving mental depravity or offences such as murder, rape and dacoity cannot appropriately be quashed though the victim or the family of the victim have settled the dispute. Such offences are, truly speaking, not private in nature but have a serious impact upon society. The decision to continue with the trial in such cases is founded on the overriding element of public interest in punishing persons for serious offences.”

Upon hearing and on perusal of statement of prosecutrix recorded under Section 164 Cr.P.C., I do not find it to be a fit case for quashing of FIR in question as Supreme Court in *Parbatbhai Aahir (Supra)* has cautioned the Courts not to quash the FIR registered for heinous crimes, like the instant one.

This petition and applications are accordingly dismissed, while not commenting upon merits of this case.

**(SUNIL GAUR)
JUDGE**

MARCH 18, 2019

p'ma