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

+ **W.P.(CRL) 1070/2019**

RAJIV BHATT

..... Petitioner

Through: Mr. Baldev Raj, Mr. S. S. Tyagi and
Ms.Shikha Tyagi, Advocates.

versus

STATE & ANR.

..... Respondent

Through: Mr. R. S. Kundu, ASC for the State with
Mr.Bhagat Singh, Advocate and SI Kamal
Kumar, PS-Bindapur.
Mr. Deepak Gupta and Mr. Tarun Kumar
Makhija, Advocates with respondent No. 2
in person.

CORAM:

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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12.04.2019

CrI. M. A. No. 7902/2019 (Exemption)

Exemption allowed, subject to just exception.

application stands disposed of.

W. P. (CrI.) 1070/2019

The instant petition has been filed by the petitioner seeking quashing of the FIR No. 218/2014 under Sections 323/354D/509/506 of the Indian Penal Code registered at Police Station – Bindapur, Delhi on the complaint of respondent No.2 on the ground that both the parties have arrived at a compromise/settlement amicably.

Petitioner and respondent No. 2 are present in Court today and have been identified by the learned counsel for the petitioners and Investigating Officer, respectively. Respondent No.2 states that she has settled the matter with the petitioners with her own free will and choice without any threat, pressure and coercion in terms of the settlement/compromise dated 17.11.2018 recorded before the Mediation Centre, Dwarka Courts, Delhi. Today, she has received Rs.1,00,000/- (Rupees One Lac Only)

from the petitioner through a Demand Draft No. 001499 dated 10.04.2019 drawn on IDBI Bank, Uttam Nagar, Delhi. Respondent No. 2 submits that she do not wish to pursue the above mentioned FIR and the proceedings thereto.

The question which arises for consideration that whether the FIR in the instant case can be quashed as the Section 354(D) IPC involved, is a non-compoundable offence.

In CrI.M.C. 1988/2017 titled as *Yumnam Marjit Singh vs State & Anr*, the Coordinate Bench of this Court, while relying on the case of *Gian Singh vs. State of Punjab (2012) 10 SCC 303* and *B.S. Joshi & Ors vs. State of Haryana & Anr. 2003 (4) SCC 675*, had quashed the case wherein the offence under Section 354(D) was involved.

Keeping in view the fact that the parties have amicably resolved their differences voluntarily and out of their own free will and without any coercion, pressure, no useful purpose will be served in continuance of the proceedings. 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. 218/2014 under Sections 323/354D/509/506 of the Indian Penal Code registered at Police Station – Bindapur, Delhi and proceedings pursuant thereto are hereby quashed.

The petition stands disposed of.

SANGITA DHINGRA SEHGAL, J

APRIL 12, 2019
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Petitioner No. 1

Respondent No. 2