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

+ CRL.M.C. 2180/2019 & Crl.M.A. 8716/2019

NIDHI

..... Petitioner

Through Mr.Sudhir Nandrajog, Sr. Adv. with
Mr.Manish Tiwari, Adv.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through Mr.Tarang Shrivastava, APP for
State.
Adv. for R-2 (appearance not given)

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

% **23.08.2019**

Vide the present petition, the petitioners seek quashing of FIR No.10/2018 dated 12.01.2018 registered at police station Model Town instituted for the offences punishable under Sections 323/342/370/374 of the IPC and under section 3/14 of Child Labour Prohibition and Regulation Act and under section 75/79 Juvenile Justice (Care and Protection) Act, 2000 and under section 16 of Bonded Labour System Abolition Act 1976 and consequent proceedings arising therefrom pending before Mr.Sachin Gupta, MM, Rohini Courts, Delhi.

Issue notice.

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.

The case of the petitioner is that she was arrested during investigation on 13.01.2018 and admitted on bail on 27.03.2018. After investigation, the chargesheet has been filed and the learned Trial Court has framed charges for the offences punishable under sections 344/323/374 IPC and under section 3/14 of Child Labour Prohibition and Regulation Act and under section 75/79 Juvenile Justice (Care and Protection) Act, 2000.

Mr.Sudhir Nandrajog, learned senior counsel appearing on behalf of the petitioner submits that with the intervention of family and friends, disputes have been resolved amongst the complainant/respondent no.2 and the petitioner and both the parties intent to put an end to the present proceedings.

On the other hand, learned APP for State while opposing the present petition submits that the petitioner has caused serious injuries to the complainant, therefore, the present petition may not be allowed. He further submits that if this court is inclined to allow the present petition, the compensation amount which the petitioner agreed to pay may be enhanced.

The complainant is present in person with her counsel and states that matter has been settled and she does not wish to prosecute the matter any further. She has been identified by the counsel for the complainant and she has produced Aadhar Card issued by Government of India bearing no.892486431163. Copy of the same is kept on record.

She states that the matter has been settled for an amount of Rs.4,60,000/-. An amount of Rs.2,10,000/- has already been paid vide order dated 09.03.2018 before Child Welfare Committee. The balance amount of Rs.2,50,000/- is being paid in court vide DD Nos.789401 and 789402dated

21.08.2019 of Rs.1,50,000/- and Rs.1,00,000/- respectively issued by SBI, Ranchi Branch.

Though the petitioner and respondent no.2 complainant has agreed to get the FIR quashed for an amount of Rs.4,60,000/-, however, this court is not agreeing to this amount.

At this stage, Mr.Sudhir Nandrajog, learned counsel for the petitioner, on instructions from the petitioner who is present in person, has agreed to pay total amount of Rs.5 lacs in favour of respondent no.2/complainant.

Accordingly, petitioner has paid balance amount of Rs.40,000/- to the complainant in court vide cheque No.230247 dated 23.08.2019 issued by SBI, Malka Ganj, Delhi in favour of respondent no.2.

Keeping in view of the settlement arrived between the parties and to give quietus to the issue, this Court is inclined to quash the subject FIR as no useful purpose would be served in prosecuting the petitioners any further.

For the reasons afore-recorded, the FIR No.10/2018 dated 12.01.2018 registered at police station Model Town instituted for the offences under Sections 323/342/370/374 of the IPC and under section 3/14 of Child Labour Prohibition and Regulation Act and under section 75/79 Juvenile Justice (Care and Protection) Act, 2000 and under section 16 of Bonded Labour System Abolition Act 1976 and consequent proceedings are quashed.

The petition is allowed in terms of the above.

SURESH KUMAR KAIT, J

AUGUST 23, 2019/ab