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

+ CRL.M.C. 4111/2018

SARABJEET SINGH

..... Petitioner

Through: Mr. Anuj Kapoor, Adv.

versus

STATE (NCT OF DELHI)& ANR

..... Respondents

Through: Mr. Raghuvinder Varma, APP for
State with Insp. Gursewak Singh, P.S.
Tilak Nagar.

Respondent no.2 in person along his
father-Mr. Surjeet Singh Taneja,
mother-Mrs. Davinder Kaur, sister-
Ms. Bhupinder Kaur and brother-in-
law-Mr. Amarjeet Singh.

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HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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22.01.2019

Respondent no.2 is present in Court and has been identified by Insp. Gursewak Singh of police station Tilak Nagar. Respondent no.2 says that matter has been settled with petitioner of his own free will and without any undue force, pressure or coercion. Apart from respondent no.2 his father, namely, Mr. Surjeet Singh Taneja, mother, namely, Mrs. Davinder Kaur, sister, namely, Ms. Bhupinder Kaur and brother-in-law, namely, Mr. Amarjeet Singh (husband of Ms. Bhupinder Kaur) are also present in Court. They also state that they have no grievance against the petitioner-Sarabjeet Singh. It is noted that petitioner is brother of ex-wife, namely, Ms. Harpreet

Kaur of respondent no.2. Marriage between respondent no. 2 and Ms. Harpreet Kaur has already been dissolved pursuant to the settlement arrived at between them on 04.04.2018 before the Counselling Cell, Family Court, West District, Tis Hazari Court, Delhi. Respondent no.2 says that in view of the settlement he is not willing to pursue the present criminal proceedings against the petitioner and the same may be quashed. It is noted that present FIR No. 86/2012 was initially registered under Section 66A of the Information Technology Act, 2000. Subsequently, offence under Section 201 IPC was added in the FIR. It is further noted that Section 66A of the Information Technology Act has already been held ultra vires by the Supreme Court in Shreya Singhal Vs. Union of India AIR 2015 SC 1523. Accordingly, trial is pending only with regard to the offence under Section 201 IPC.

In view of the compromise arrived at between the petitioner and respondent no.2 voluntarily, which has also been accepted by the other relatives of respondent no.2 as detailed above, in my view, no fruitful purpose would be served to keep the criminal proceedings pending arising out of the present FIR. Accordingly, in the interest of justice, aforesaid FIR and the consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

JANUARY 22, 2019

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