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

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Judgment delivered on: 11.07.2019

+ CRL.M.C. 5908/2018

BALJEET SINGH @ SHANKY

..... Petitioner

versus

STATE & ANR.

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Rakesh Pal Singh, Advocate
with petitioner in person.

For the Respondent : Ms. Meenakshi Dahiya, Addl. PP for
the State
SI Nitu Kumar, PS Geeta Colony.
Respondent in person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks quashing of FIR No.94/2016, initially registered under Sections 354/354D/506/509 IPC and Section 12 POCSO, Police Station Geeta Colony. Charge has been framed by order dated 25.05.2017 under Sections 363/354/354D/506/509 IPC. No charge has been framed under Section 12 POCSO.

2. Parties have settled their disputes.

3. Petitioner as well as respondent No.2 are the first cousin being

children of two real brothers. The prosecutrix/victim on the day of the alleged incident was aged about 17 years and 4 months. They were also friends.

4. Respondent No.2, who is present in Court in person and identified by the Investigating Officer and also accompanied by her mother, submits that she has settled with the petitioner with a view to restore family ties and has no objection to the quashing of the subject proceedings.

5. Respondent No.2 has also filed her affidavit in support of the petition stating that she has settled the disputes with the petitioner and his family and has no objection to the quashing of the subject FIR. Even a Compromise Deed dated 30.09.2018 has been annexed with the petition where the petitioner has undertaken not to harass the respondent No.2 and her family.

6. Petitioner, who is present in Court in person, undertakes that he shall abide by the settlement terms. The undertaking is accepted.

7. In view of the fact that parties are related being first cousins, the disputes between the parties have been settled and a compromise deed dated 30.09.2018 has been executed, I am of the view that it is a fit case for quashing of the subject FIR to restore family peace and harmony.

8. In view of the fact that the disputes between the petitioner and

respondent no. 2 have been settled, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. It would be expedient to quash the subject FIR and the consequent proceedings emanating therefrom.

9. In view of the above, the petition is allowed. FIR No.94/2016 under Sections 363/354/354D/506/509 IPC registered at Police Station Geeta Colony and the consequent proceedings emanating therefrom are accordingly quashed.

10. Order *Dasti* under signatures of the Court Master.

JULY 11, 2019
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SANJEEV SACHDEVA, J