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

+ W.P.(CRL) 3754/2018

KARAN MALHOTRA ORS

..... Petitioners

Through Mr Ravi Drall, Advocate.

versus

THE STATE & ANR

..... Respondents

Through Ms Nandita Rao, ASC Crl. for GNCTD.

Insp. Gursewak singh, P.S. tilak Nagar.

Mr Ankit Malik, Advocate for R2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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10.10.2019

1. The petitioners have filed the present petition, *inter alia*, praying that FIR No. 586/2018 under Sections 323/354/354B/354C/506/34 IPC and Section 65B and 67 of the Information Technology Act, 2000 registered at P.S. Tilak Nagar, Delhi and all other proceedings emanating therefrom, be quashed.

2. The present petition is premised on a settlement –a Compromise Deed dated 29.11.2018 – arrived at between the concerned parties (petitioners and respondent no.2).

3. The FIR in question was registered at the instance of respondent no.2. She had alleged that certain personal photographs had been copied from her

mobile and disseminated. And, the same were subsequently used to harass her. She had also alleged that the accused had outraged her modesty.

4. Respondent no.2 is present in Court and states that the accused are friends and they have since resolved/settled their misunderstanding/dispute with each other. And, she does not wish to pursue the FIR in question filed against the petitioners. Respondent no. 2 also asserts, on enquiries made by the court, that she is acting without any undue influence and has not been pressurised in any manner.

5. This Court is of the view that the interest of justice would be met in quashing the FIR in question subject to certain conditions, as significant amount of time has been spent by the police officials in investigating the matter. It also appears that there is some evidence against the accused.

6. In view of the above and in view of the statements made by the accused and respondent no.2, the petition is allowed and the FIR No. 586/2018 under Sections 323/354/354B/354C/506/34 IPC and Section 65B and 67 of the Information Technology Act, 2000 registered at P.S. Tilak Nagar, Delhi and all other proceedings emanating therefrom are quashed. This is subject to the petitioners depositing a cost of ₹1,00,000/- (Rupees One Lakh) each with the Delhi Police Martyrs Fund. The petitioners undertake to deposit the amount within a period of two weeks from today.

7. The petitioners are identified by their counsel and respondent no.2 is identified by the Investigating Officer. The parties (petitioners and respondent no.2) shall sign this order as an acknowledgment of the

statement recorded herein.

5. The petition is disposed of.

OCTOBER 10, 2019/pkv

VIBHU BAKHRU, J