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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 896/2020**

SH. PRADEEP KUMAR SINGH Petitioner
Through: **Mr.Y.P.Singh, Advocate**

versus

STATE & ANR. Respondents
Through: **Mr.Kewal Singh Ahuja, APP for State**
With SI Nanu Ram, PS Dwarka
Mr.Uma Shankar Vats, Adv for R-2

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **18.02.2020**

Crl.M.A. No. 3683/20205

Exemption allowed, subject to just exceptions.

Crl.M.C. No. 896/2020

The petitioner vide the present petition seeks quashing of the FIR No. 915/2015, PS Dwarka South registered under Sections 354-A/354-D/506 IPC placing reliance on the settlement document dated 24.1.2020 arrived at between the petitioner and the respondent No.2 submitting to the effect that all disputes between the parties have amicably been resolved.

Reliance has been placed on behalf of the petitioner on the verdict of this Court in W.P(Crl.) 1453/18 a verdict dated 10.5.2018 to submit to the effect that the FIR in relation to Section 354/35-A/354-D of the Indian Penal Code and Section 10 of the POCSO Act, PS Welcome was quashed in view of the amicable settlement arrived

at between the parties.

A perusal of the verdict relied upon on behalf of the petitioner indicate that the settlement between the petitioner and the respondent No.2 therein was to the effect that the settlement was arrived at in as much as the issue was very trivial in nature whereas in the present petition the allegations levelled are to the effect of the gross mental depravity against the petitioner and the petitioner is even alleged to have assaulted the 81 year old father of the respondent No.2 who was making an attempt to stop him from outraging the modesty of his daughter. The averments made in the statement under Section 164 of the Cr.P.C. of the prosecutrix dated 10.12.2015 before the learned Mahila Court-02, Dwarka Courts Delhi are also to similar effect.

A copy of the statement under Section 164 of the Cr.P.C. of the prosecutrix be placed on record by the State. In terms of the verdict of the Hon'ble Supreme Court in *Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur & Ors. V.State of Gujarat And Another*; (2017) 9 SCC 641, it is not considered appropriate to grant the prayer made by the petitioner despite the submission made to the effect that the petitioner and the respondent No.2 have amicably settled their disputes. The prayer is thus declined.

Nothing stated herein above shall however tantamount to any expression on the merits or demerits of the trial in progress.

ANU MALHOTRA, J

FEBRUARY 18, 2020/SV