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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL. M.C. 1570/2020**

DAYA SHANKAR & ANR Petitioners
Through: Mr. Balvinder Ralhan, Advocate.
Versus

STATE OF NCT OF DELHI & ANR. Respondents
Through: Ms. Radhika Kolluru, APP for State.
SI Hemant, P.S. Binda Pur along with
Respondent no.2 and her husband.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

(VIA VIDEO CONFERENCING)

ORDER
% **15.07.2020**

CRL. M.A. 9273/2020

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

CRL. M.C. 1570/2020 and CRL. M.C. 9272/2020 (Stay)

1. By this petition filed under Article 226 of the Constitution of India read with Section 482 Cr.P.C., the petitioners seek quashing of FIR No. 242/2020 registered under Sections 451/354/354B/34 IPC at P.S. Binda Pur on the ground of settlement arrived at between the petitioners and respondent no.2.
2. As per the prosecution case, the present FIR has been filed on the complaint of respondent no.2 against the present petitioners alleging that the petitioners forcibly entered her house and thereafter outraged her modesty,

inasmuch as, misbehaved with her and tore her clothes.

3. Ms. Radhika Kolluru, learned APP for the State, on instructions, submits that apart from the present petitioners, no other person could be identified. She further submits that the further investigation could not be conducted on account of pandemic situation due to COVID-19. She also submits that respondent no.2 is the only complainant in the present FIR.

4. Mr. Balvinder Ralhan, learned counsel for the petitioners submits that the petitioners and respondent no.2 have settled their disputes out of court and in terms of the settlement, respondent no.2 is now left with no claim whatsoever against the petitioners.

5. Respondent no. 2 is present in person along with her husband, who have marked their presence through this V.C. hearing. The Investigating Officer is also present and has identified respondent no.2. Respondent no. 2 states that she has entered into the settlement with the petitioners out of her own free will, volition and without any undue force, pressure or coercion. She further submits that the petitioners have shown remorse for their conduct and have undertaken not to repeat the same in future. She states that she has no objection if the present FIR is quashed.

6. Learned counsels for the parties submit that no other proceedings are pending between the parties.

7. The parties shall remain bound by their statements made in Court today.

8. In view of the settlement arrived at between the parties, in my view, no useful purpose will be served in continuance of the present criminal proceedings. Accordingly, in the interest of justice, the aforesaid FIR is hereby quashed, subject to payment of costs of Rs.5,000/- to be given by

each of the petitioners to the respondent no.2 and further costs of Rs.2,500/- to be deposited by each of the petitioners with the *Delhi High Court Legal Services Committee* within four weeks. Receipts evidencing deposit of costs be handed over to the Investigating Officer as well as filed in the Registry.

9. The petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous.

MANOJ KUMAR OHRI, J

JULY 15, 2020
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