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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P. (CRL.) 1085/2020

SAHIL

..... Petitioner

Through: Mr. Murari Tiwari, Advocate with Mr. Shivam Malhotra & Mr. Pankaj Rai, Advocates
Petitioner in person along with his father.

Versus

STATE (NCT OF DELHI) & ANR.

..... Respondents

Through: Ms. Kamna Vohra, Additional Standing Counsel for State with W/SI Sangeeta
Mr. Avadh Kaushik, Adv. for Respondent No. 2
Complainant in person along with her father.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

(VIA VIDEO CONFERENCING)

ORDER

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20.07.2020

CRL. M.A. 9572/2020

1. Exemption is allowed, subject to the condition that petitioner will file the certified copy of annexures, duly sworn/attested affidavit as well as requisite court fee within 72 hours from the date of resumption of the regular functioning of this Court.
2. The application stands disposed of.

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1. The present proceedings are instituted seeking quashing of FIR No. 229/2020 under Sections 354D/506 IPC read with Section 12 of POCSO Act registered at Police Station Dwarka North, New Delhi on the ground that the parties have reached an amicable settlement.

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2. Learned counsel for the petitioner submits that the case is still pending investigation and the parties, with the help of their parents, have been able to reach a settlement.
3. Ms. Kamna Vohra, learned Additional Standing Counsel submits that the petitioner is the only accused and respondent No. 2 is the only complainant/victim in the present case.
4. Learned counsel for the petitioner submits that the petitioner and respondent no.2/complainant have entered into a settlement vide Compromise Deed dated 15.07.2020, a copy whereof has been annexed as Annexure-B with the petition. It is submitted that the Compromise Deed has been signed on behalf of the petitioner and the complainant through her father. In terms of the settlement, respondent no.2 is now left with no claim whatsoever against the petitioner.
5. Petitioner and respondent no.2/complainant alongwith their respective fathers have joined the Video Conference hearing and have been identified by their respective counsels as well as by the Investigating Officer. The petitioner has shown remorse for his conduct and has undertaken not to repeat the same in future. Mr. *Satender Kumar*, the father of the petitioner has assured the Court that the petitioner will be careful and such incident will not be repeated in future.
6. Learned counsel for the petitioner has referred to the judgment dated 17.08.2018 in CRL.M.C. 4161/2018 as well as judgment dated 11.07.2019 in CRL.M.C. 5908/2018 passed by the Coordinate Bench of this Court.
7. The father of Respondent no. 2/complainant states that he as legal guardian of the respondent No. 2 has entered into the settlement with the

petitioner out of their own free will, volition and without any undue force, pressure or coercion. He further states that he has no objection if the present FIR and the consequent proceedings are quashed.

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

9. Keeping in view the young age of the petitioner and the remorse shown by the petitioner and also in view of the voluntary 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 and the consequent proceedings emanating therefrom are hereby quashed, subject to costs of Rs.20,000/-, out of which Rs.10,000/- be paid to respondent No.2 by way of demand draft through I.O. and Rs.10,000/- be deposited with the *Delhi High Court Legal Services Committee* within four weeks from today. Receipts evidencing deposit of costs be filed in the Registry as well as with the Investigating Officer.

10. With the above directions, the petition is disposed of.

MANOJ KUMAR OHRI, J

JULY 20, 2020

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