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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P. (CRL.) 1183/2020

DAANVIR KARAN SINGH Petitioner

Through: Mr. Jatan Singh, Advocate.

Versus

THE STATE (GOVT. OF NCT) & ANR. Respondents

Through: Mr. Sanjay Lao, ASC for the State
with SI Jyoti, PS: Model Town, New
Delhi.

Mr. Amit Bhatia, Advocate for
respondent No.2.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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05.08.2020

Crl. M.A. No.10457/2020 (exemption)

Exemption is granted, subject to just exceptions and subject to the petitioner completing all requirements of filing certified/typed copies of annexures, attested affidavits and court fee within 10 days of physical re-opening of the court.

Application stands disposed of.

W.P. (Crl.) 1183/2020

The petitioner, who is accused in case FIR No.0352/2017 under sections 354/354D/509 IPC registered at PS: Model Town, seeks quashing of the FIR and all proceedings arising therefrom on the basis that the matter has been compromised with the complainant, who is respondent No.2 in the present petition.

2. Mr. Jatan Singh, learned counsel for the petitioner submits that the parties are family friends; and due to certain misunderstandings, the complaint and consequent FIR came to be filed against the petitioner. Mr. Singh submits that subsequently, by the intervention of elders, the disputes between the petitioner and respondent No.2 have been amicably settled and respondent No.2 has agreed that the FIR be quashed.

3. The petition is supported by an affidavit of the petitioner alongwith photocopy of proof of I.D. by way of his Aadhaar card. The petition is also supported by an affidavit of respondent No.2, in which she has clearly stated that the case was registered on account of some misunderstanding; and that with the intervention of family, friends and relatives, all disputes stand settled, by reason whereof respondent No.2 does not wish to prosecute the matter any further, in order to maintain peace and harmony within the family. Proof of I.D. of respondent No.2, by way of a photocopy of her passport, has also filed with the petition.

4. Issue notice.

5. Mr. Sanjay Lao, learned ASC appears for the State on advance copy; and accepts notice.

6. Mr. Lao submits that although the offence under section 354D IPC is not compoundable, considering the nature of the allegations and the circumstances in which the allegations have arisen, and the fact that respondent No.2 does not wish to pursue the matter any further, the State has no objection if the FIR is quashed.

7. The petitioner and respondent No.2 have also joined the video-conference hearing. They are identified by their respective counsel as

also by the Investigating Officer S.I. Jyoti from PS: Model Town. The court has interacted with the petitioner as well as respondent No.2, who have both affirmed the contents of the petition as well as the affidavits filed in support. Respondent No.2 has stated that she has agreed to quashing of the FIR and consequent proceedings *provided* the petitioner does not attempt to contact or communicate with her in future, which is acceptable to the petitioner.

8. Considering the nature of the matter and in the interests of peace and harmony between the parties, this court sees no reason why the FIR and all proceedings arising therefrom be not quashed. Accordingly, FIR No.0352/2017 registered under sections 354/354D/509 IPC at PS: Model Town, Delhi and all proceedings arising therefrom are hereby quashed.

9. The petition stands disposed of.

10. Pending applications, if any, also stand disposed of.

ANUP JAIRAM BHAMBHANI, J.

AUGUST 05, 2020

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