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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 4011/2019
MERAJ AHMAD & ORS Petitioners
Through: Mr. Kartikay Sharma, Adv.

versus

STATE & ANR. Respondents
Through: Mr. Ashok Kr. Garg, APP for State
with SI Sachin, PS Subhash Place.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
% **30.01.2020**

The petitioners vide the present petition seek quashing of FIR No.38/2017, PS Subhash Place registered under Sections 323/506 of the Indian Penal Code, 1860 and Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015 submitting to the effect that a settlement has been arrived at vide a memorandum of understanding dated 01.04.2019 between the father of the minor child arrayed as the respondent no.2 through his father with the petitioners. Both the victim and the father of the victim are present in person.

On behalf of the State there is opposition to the prayer made by the petitioners submitting to the effect that the offence *inter alia* alleged to have been committed by the petitioners is one under the Juvenile Justice (Care and Protection of Children) Act, 2015 and taking into account the allegations of gross cruelty levelled against the petitioners qua the minor victim at the time of commission of the

offence, which it is also submitted has been corroborated through his statement under Section 164 of the Cr.PC, 1973 with it *inter alia* submitted that there is even a mention of the neck of the minor child having been caught hold by the accused.

In the circumstances put forth as the prosecution version, it is not considered appropriate to grant the prayer made by the petitioner seeking quashing of the FIR in question.

The petition is declined.

ANU MALHOTRA, J

JANUARY 30, 2020

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