

\$~5

*

+

IN THE HIGH COURT OF DELHI AT NEW DELHI

CRL.M.C. 5836/2019 & CRL.M.A. 40466/2019

MOHD. MUKEEM

..... Petitioner

Through: Mr. Mobin Akhtar, Advocate.

versus

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

Through: Mr. Kamal Kumar Ghai, APP for
State with SI Vijay Kumar, PS Sadar
Bazar.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

%

06.02.2020

It is informed on behalf of the petitioner that the respondent no.2 is not present being unwell.

Vide the present petition the petitioner seeks the quashing of the FIR No.166/2014, PS Sadar Bazar registered under Sections 354/354B/354D/451/506/323 of the Indian Penal Code, 1860 on the basis of a stated settlement arrived at between the petitioner no.1 and the respondent no.2 vide a compromise deed dated 05.08.2019.

A bare perusal of the record indicates that vide judgment dated 30.04.2019 of the learned MM-Mahila Court-02, Central, the petitioner herein has been convicted for the offences punishable under Sections 354/451/506/323/354D of the Indian Penal Code, 1860, though, he has been acquitted qua the offence punishable under

Section 354B of the Indian Penal Code, 1860.

In reply to a specific Court query, it has been submitted on behalf of the petitioner that the sentence is yet to be awarded in the matter and that the settlement had taken place in the interregnum.

Without any observations on the sentence that may be awarded by the learned Trial Court, on a bare perusal of the judgment dated 30.04.2019, the FIR and the statement under Section 164 of the Cr.P.C., 1973 of the prosecutrix produced by the State, copy of which is directed to be placed on the record with gross allegations that have been held to have been proved vide judgement dated 30.04.2019 by the learned Trial Court which speak of gross mental depravity against the petitioner, there is no ground for even consideration of the petition seeking the quashing of the FIR which is thus, declined.

ANU MALHOTRA, J

FEBRUARY 06, 2020

'neha chopra'