

\$~18

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 4990/2018 & CRL.M.A. 33242/2018**

PRADEEP DAGAR

..... Petitioner

Through: Mr. Ashok Sarna, Advocate

versus

THE STATE (GNCT OF DELHI) & ORS Respondent

Through: Mr. Mukesh Kumar, APP for State
with IO/SI Subhash Chand, P.S.

Vasant Kunj (South).

Mr. Kaptan Singh, Advocate for R-2
alongwith mother of R-2

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

%

11.02.2020

1. The present proceedings are instituted seeking quashing of FIR No.268/2012 under Sections 354/506 IPC registered at Police Station Vasant Kunj on the ground of settlement having been arrived at between the petitioner and respondents No. 2.

2. Learned APP for the State, on instructions, submits that the charge sheet in the present case has been filed under the aforesaid sections against the present petitioner and respondent No. 2 is the only complainant/victim.

3. As per the prosecution case, the present FIR has been filed by respondent No. 2 against the present petitioner, wherein it is alleged that the

petitioner outraged the modesty of the respondent no. 2 for the last 2-2.5 years and blackmailed respondent no. 2 with her objectionable photos.

on account of quarrel that took place between the parties.

4. Learned counsels for the parties submit that parties have entered a settlement out of Court. In terms of the settlement, respondent No.2 is now left with no claim whatsoever against the petitioner.

5. Learned counsel for respondent No.2 submits that respondent No.2 is presently in Australia and has given a Special Power of Attorney to her mother to represent her in the present case.

6. Learned APP further states that the Investigating Officer has telephonically verified through video Call the execution of Special Power of Attorney executed by respondent No.2 in favour of the mother. The mother is present in Court and is identified by the counsel as well as by the IO. The petitioner has shown remorse for his conduct and has undertaken not to repeat the same in future.

7. Mother of respondent No.2 states respondent No.2 has entered into the settlement with the petitioner out of her own free will, volition and without any undue force, pressure or coercion. She further states that the petitioner has not repeated the same incident and that she has no objection if the present FIR and consequent proceedings are quashed.

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

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

10. In view of the settlement arrived at between the parties voluntarily, in my view, no useful purpose will be served in continuance of the present criminal proceedings. Accordingly, in the interest of justice, aforesaid FIR and the consequent proceedings emanating therefrom are hereby quashed, subject to payment of costs of Rs.25,000/- out of which Rs.15,000/- shall be paid to respondent no. 2 through her mother by way of demand draft through Investigating Officer and Rs.10,000/- shall be deposited with Delhi High Court Legal Services Committee by the petitioner within four weeks from today. Proof of deposit be filed in the Court as well as with the IO.

11. With the above directions, the petition is disposed of and pending application is also disposed of.

12. Order *dasti* to the counsels for the parties.

MANOJ KUMAR OHRI, J

FEBRUARY 11, 2020

At