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

+ CRL.M.C. 1765/2022

29 NAMITA SINGH Petitioner

Through: Mr. Vikas Bhaduria and M.Hasmi,
Advs.

versus

THE STATE OF DELHI AND ANR. Respondents

Through: Mr. Hemant Mehla, APP for the State
with WSI Damini, PS Vikaspuri.
Mr. Paramjeet Singh, Adv. for R-2.

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+ CRL.M.C. 1769/2022

PRANU DEEPA @ SONA Petitioner

Through: Mr. Paramjeet Singh, Adv.

versus

THE STATE OF DELHI AND ANR. Respondents

Through: Mr. Hemant Mehla, APP for the State
with WSI Damini, PS Vikaspuri.
Mr. Vikas Bhaduria and M.Hasmi,
Advs.

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Date of Decision: 25th April, 2023

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

1. The present petitions have been filed under section 482 Cr.P.C for quashing of cross FIRs bearing FIR No.147/2019 registered under sections 354/506 IPC and section 10 POCSO Act and FIR No. 152/2019 registered under sections 354/506 IPC and section 10 POCSO Act.
2. After investigation charge-sheets have also been filed in FIR 147/2019 under sections 323/354/506 IPC & 10 POCSO Act ; FIR 152/2019 under sections 354/506 IPC and 10 POCSO Act.
3. Briefly stated facts of the case are that the FIRs were lodged by both the petitioners on behalf of their daughters and the allegations made therein were very distasteful.
4. It is submitted that now the parties have entered into a settlement vide Settlement/MoU dated 6th April 2022. The said MoU has been placed on record on following terms and conditions:
 1. *That both the parties have resolved all their disputes amicably, without any kind of pressure, coercion or threat from any quarter what-so-ever and it has been agreed between both the parties that they will live peacefully and will continue their cordial and friendly relations in future.*
 2. *That both the parties have agreed that they shall approach the Hon'ble High Court of Delhi for quashing of their respective FIRs and for the purpose of getting the above FIRs quashed, both the parties shall fully cooperate with each other by supplying and signing all the required documents as well as by appearing before the Hon'ble High Court of Delhi for giving their respective statements to the effect of amicable settlement and no objection for quashing of above FIRs.*

3. *That both the parties have agreed that in future they shall not indulge in any litigation and shall not file any complaint or case against each other either in person or through their respective family members.*
4. *That two original of this M.O.U. are being prepared and both the parties shall keep one set of the original for record and reference.*
5. *That the stipulations of this M.O.U. have been read over to both the parties in vernacular.*
5. The High Court is the highest court of the State and is conferred with the power of control and superintendence over all courts subordinate to it. Besides Articles 226 and 227, Section 482 CrPC also acknowledges the inherent power of the high court to secure the ends of justice. In cases where the offences are not compoundable in nature, the parties on account of an amicable settlement may invoke the inherent power under Section 482 Cr.P.C. for quashing the proceedings on the plea that continuance thereof would merely be an abuse of process of law.
6. This trend of getting the cases registered by making their own children as a victim is a very unfortunate trend. Such kind of litigations not only cast burden on the justice delivery system but also give a very wrong message to the society. However, the present case has very peculiar facts as the complainant—Ms Namita Singh states that she lost her husband and the other complainant-Pranu Deepa states that she is also a single mother on account of having disputes with her husband.
7. This Court in no way wants to encourage such kind of filing of FIR with such allegations and then coming to the Court with a prayer to quash the same on account of settlement. But the facts of this case are

very peculiar in nature and the Court would only restrain itself by saying that both the mothers should be more responsible and careful in the future.

8. In view of the above facts and circumstances and the settlement deed the Case FIR No.147/2019 registered under sections 354/506 IPC and section 10 POCSO Act and FIR No. 152/2019 registered under sections 354/506 IPC and section 10 POCSO Act alongwith all the other proceedings emanating therefrom is quashed.
9. The present petition stands disposed of.

DINESH KUMAR SHARMA, J

APRIL 25, 2023/Pallavi

