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

+ W.P.(CRL) 125/2024 & CRL.M.A. 1054/2024 (Exemption)

RAJESH

..... Petitioner

Through: Ms. Mishika Pandita along with
petitioner in person.

versus

STATE & ANR.

..... Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(criminal) for the State with
Mr. Abhinav Kumar Arya, Advocate.
SI Suruchi, PS Fatehpur Beri.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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11.01.2024

1. The present petition filed under Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeks quashing of the FIR No. 508/2023, under Sections 354/354(A)/ 354(B)/ 354(C)/384/323/506 of the IPC, registered at P.S. Fatehpur Beri. The investigation in the present case is ongoing and the chargesheet has not been filed.
2. Learned counsel appearing on behalf of the petitioner submits that respondent no. 2/complainant is sister-in-law of the petitioner and during the pendency of investigation in the present FIR, with the intervention of relatives, parties have resolved their disputes *vide* settlement deed dated 06.01.2024. The copy of the aforesaid settlement deed dated 06.01.2024 is on record (Annexure P-2).
3. Petitioner and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officer, SI Suruchi, PS Fatehpur Beri.



4. The complainant/respondent No.2 states that the matter has been settled with the petitioners and she has no objection if the FIR is quashed.

5. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed, subject to cost.

6. In *Gian Singh v. State of Punjab*, (2012) 10 SCC 303, the Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

“61. ... In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.”

7. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 508/2023, under Sections 354/354(A)/ 354(B)/ 354(C)/384/323/506 of the IPC, registered at P.S. Fatehpur Beri.

8. In the interest of justice, the petition is allowed, and the FIR No. 508/2023, under Sections 354/354(A)/ 354(B)/ 354(C)/384/323/506 of the IPC, registered at P.S. Fatehpur Beri, is hereby quashed, subject to payment of cost of Rs. 40,000/- to be deposited by the petitioner with the Delhi Legal Services Authority within a period of one week from today. The amount so deposited shall be utilized by the DLSA for providing counselling/psychological support to POCSO victims requiring such assistance.



9. Proof evidencing receipt of deposit shall be filed with the Investigating Officer as well as in Court.
10. A copy of this order be communicated to the Member Secretary, DLSA for intimation.
11. Petition is allowed and disposed of accordingly.
12. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

JANUARY 11, 2024/sn