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

+ **CRL.M.C. 328/2024**

SANJEEV RATHORE @ SANJEEV KUMAR Petitioner

Through: Mr.Neeraj Kumar, Mr.Harsh
Sharma, Mr.Amar Nath &
Mr.Pankaj Kumar, Advs. with
petitioner in person.

versus

STATE OF NCT DELHI & ANR. Respondents

Through: Mr.Shoaib Haider, APP.
SI Sohan Lal & SI Dinesh.
Mr.Nagendra Kasana &
Ms.Kanika Sharma, Adv. for R-
2.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **15.01.2024**

CRL.M.A. 1274/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 328/2024

2. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of the FIR No. 0961/2017 registered at Police Station: Mehrauli, South-District, New Delhi under Sections 354/354(B)/506/509 of the Indian Penal Code, 1860 (in short, 'IPC') on the basis of a settlement.

3. Issue notice.

4. Notice is accepted by Mr.Shoaib Haider, learned APP, on behalf of the State and Mr.Nagendra Kasana, learned counsel, on behalf of the respondent no.2.



5. The learned counsels for the parties submit that the parties have arrived at an amicable settlement and have entered into a Settlement Deed/Memorandum of Understanding (MOU) dated 19.12.2023.

6. The respondent no.2 is personally present in Court and has been duly identified by the Investigating Officer (IO). The respondent no.2 affirms that she has settled the disputes with the petitioners of her own free will and without any coercion. The respondent no.2 states that she has no objection to quashing of the FIR.

7. Considering the above settlement between the parties and the chances of conviction of the petitioner being remote and bleak, in view of the principles enunciated by the Supreme Court in *Gian Singh v. State of Punjab*, (2012) 10 SCC 303, *Parbatbhai Aahir @ Parbatbhai Bimsinhbhai Karmur & Ors. v. State of Gujarat & Ors.*, (2017) 9 SCC 641 and *State of Haryana & Ors. v. Bhajan Lal & Ors.* 1992 Supp (1) SCC 335, I find that no useful purpose would be served in continuing with the criminal proceedings as it would be an unnecessary burden on the State exchequer.

8. Accordingly, FIR No. 0961/2017 registered at Police Station: Mehrauli, South-District, New Delhi under Sections 354/354(B)/506/509 of the IPC, along with all other proceedings emanating therefrom, are quashed, subject to the condition that the petitioner deposits costs of Rs.10,000/- with the Delhi State Legal Services Authority within a period of two weeks from today. The amount so deposited shall be utilised by the Delhi State Legal Services Authority for providing support to the Acid Attack Victims requiring such assistance.



9. The petitioner shall file, with the Registry of this Court, proof of such deposit of the above costs and also supply a copy thereof to the concerned IO within the said period.
10. The petition is allowed in the above terms.

NAVIN CHAWLA, J

JANUARY 15, 2024/rv/ss

Click here to check corrigendum, if any