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

+ **CRL.M.C. 418/2024**

ISRAR HUSSAIN @ SAPHEDA & ORS. Petitioners

Through: Mohammed Shamikh, Advocate with
petitioners in person

versus

STATE OF DELHI & ANR. Respondents

Through: Mr.Naval Kishore Jha, APP for State
with SI Rahul with respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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18.01.2024

CRL.M.A. 1626/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

CRL.M.C. 418/2024 and CRL.M.A. 1625/2024 (stay)

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.727/2022 registered under Sections 323/354/354B/509/354A/506/34 IPC at P.S. Seemapuri, Delhi on the ground that the parties have amicably settled their disputes.
2. Learned counsel for the petitioners submits that though in the complaint, the complainant had alleged beating to her son, Taufiq, however, no MLC was prepared w.r.t him.



3. As per the allegations levelled in the FIR, on 26.06.2022 at around 8 PM, the petitioners abused and beat respondent No.2.
4. Learned APP for the State submits that in the present case the petitioners are the only accused persons and respondent No.2 is the only complainant/victim.
5. Learned counsels for the petitioners submit that the parties have entered into a settlement vide Compromise Deed dated 12.01.2024 and that, in terms of the settlement, respondent No.2 is now left with no claim whatsoever against the present petitioners.
6. The petitioners, who are present in the Court, have been identified by their counsel and the Investigating Officer. Respondent No.2, who is also present in court, is identified by the Investigating Officer.
7. The petitioners have shown remorse for their conducts and they undertake not to repeat the same in future. Respondent No. 2 states that she has entered into the aforesaid Deed of Settlement out of her own free will, volition and without any coercion. She further states that she has no objection if the present FIR and consequent proceedings are quashed.
8. Learned counsel for the petitioners submits that no other proceedings are pending between the parties.
9. The parties shall remain bound by the statements made in Court today.
10. In view of the above facts and since no useful purpose will be served in continuance of the present criminal proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed, subject to payment of costs of Rs.10,000/- by each petitioner out of which Rs.5,000/- is to be paid to the complainant/respondent No.2 by way of



a Demand Draft through Investigating Officer and remaining Rs.5,000/- is to be deposited with the Delhi State Legal Services Authority within a period of four weeks from today. The amount so deposited shall be utilized by the Delhi State Legal Services Authority for providing counselling/psychological support to POCSO victims requiring such assistance.

11. Proof evidencing receipt of deposit shall be filed with the Investigating Officer as well as in Court.

12. With the above directions, the petition is disposed of alongwith the pending application.

13. Let a copy of this order be communicated to the Member Secretary, Delhi State Legal Services Authority for information.

14. The Registry shall list the matter before this Court in case receipt of costs to be paid by the petitioners is not filed within the stipulated time period.

MANOJ KUMAR OHRI, J

JANUARY 18, 2024

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