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

+ **CRL.M.C. 519/2024 & CRL.M.A. 2066/2024**

DARA SINGH & ORS.

..... Petitioners

Through: Ms.Shivani, Adv with
petitioners in person.

versus

STATE NCT OF DELHI & ORS.

..... Respondents

Through: Ms.Priyanka Dalal, APP with
SI Rahul.

Respondent nos.2 and 3 in
person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

13.02.2024

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1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No.0428/2016 registered at Police Station: Seema Puri, North-East District, Delhi, under Sections 452/341/325/506/354A/34 of the Indian Penal Code, 1860 (in short, 'IPC') read with Section 8 of the Protection of Children from Sexual Offences Act, 2012 (in short, 'POCSO Act'), along with all other proceedings arising therefrom, on the basis of a settlement.

2. The petitioners and the respondent nos.2 and 3 are neighbours and the disputes arose out of some petty issues between the parties, which led to the filing of the above FIR.

3. The learned counsel for the petitioners submits that the parties



have now amicably settled their *inter se* disputes and have entered into a settlement vide Settlement Agreement/Compromise dated 23.10.2023.

4. The respondent nos.2 and 3, who are present in Court (through VC) and have been duly identified by the Investigating Officer (IO), affirm the settlement and state that they have settled all the disputes with the petitioners of their own free will and without any coercion. The respondent nos.2 and 3 submit that they have no objection if the present FIR is quashed.

5. I have perused the contents of the FIR, Charge Sheet and also the settlement between the parties.

6. Keeping in view the fact that the parties are neighbours and the respondent nos.2 and 3 do not wish to pursue their complaint any further, as also the Settlement arrived at between the parties, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as the chances of its success will be rather minuscule and it would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

7. Guided by the principles enunciated by the Supreme Court in its judgments in ***Gian Singh v. State of Punjab***, (2012) 10 SCC 303; ***Parbatbhai Aahir @ Parbatbhai Bhimsinbhai Karmur & Ors. v. State of Gujarat & Ors.*** (2017) 9 SCC 641 and ***State of Haryana & Ors. v. Bhajan Lal & Ors.*** 1992 Supp (1) SCC 3, and judgment of this court dated 22.05.2023 in CrI.M.C. 2153/2021, titled as ***Vijay Kumar v. The State Govt. of NCT of Delhi & Anr.***, this Court deems it appropriate, in the interest of justice, to exercise its inherent powers



under Section 482 of the Cr.P.C. to quash the FIR and all the proceedings emanating therefrom.

8. Accordingly, the petition is allowed. FIR No.0428/2016 registered at Police Station: Seema Puri, North-East District, Delhi, under Sections 452/341/325/506/354A/34 of the IPC read with Section 8 of the POCSO Act and all consequential proceedings emanating therefrom against the petitioners are quashed, subject to the condition that the petitioners deposit costs of Rs.15,000/- each with the Delhi State Legal Services Authority within a period of two weeks from today, and file proof of such deposit with the Registry of this Court and also supply a copy thereof to the IO, within the said period.

9. The costs so deposited shall be utilised by the Delhi State Legal Services Authority for providing psychological/counselling support to the POCSO Victims requiring such assistance.

10. The petition and the pending application are disposed of in above terms.

NAVIN CHAWLA, J

FEBRUARY 13, 2024/Arya/ss

Click here to check corrigendum, if any