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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 23.02.2024

+ CRL.M.C. 567/2024

MR. DEEPAK KUMAR.

..... Petitioner

Through: Ms.Tara Narula, Mr.Harshvardhan Jain and Ms.Shivangi Sharma, Advocates alongwith petitioner in person.

versus

STATE (GOVT. OF NCT) OF DELHI & ANR. Respondents

Through: Ms. Meenakshi Dahiya, APP for the State with SI Ankur Kardam, PS Tilak Nagar.
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

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J U D G M E N T**ANOOP KUMAR MENDIRATTA, J (ORAL)**

1. Petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner for quashing of FIR No.688/2018 under Sections 354/354D(2)/509/506 IPC registered at P.S.: Tilak Nagar, Delhi and the proceedings emanating therefrom.

2. In brief, as per the case of the prosecution, present FIR was lodged on complaint of respondent No. 2. She alleged that the petitioner (Deepak Kumar) who was known to her started communicating with her through



mobile phone. Petitioner visited her house and started touching her inappropriately on which she shouted. Consequently, petitioner fled from the spot and thereafter shifted to his hometown at Badaun. Petitioner again started calling her using different mobile phones and started talking in an inappropriate manner. Present FIR was accordingly registered.

3. Learned counsel for the petitioner submits that the matter has been amicably settled between the parties and FIR had been lodged on account of misunderstanding between the parties. It is also submitted that both the petitioner and complainant wish to move forward in life and proposal for marriage is under consideration.

4. Learned APP for the State submits that in view of amicable settlement between the parties, the State has no objection in case the FIR in question is quashed.

5. Petitioner as well as respondent No. 2 in person have been identified by SI Ankur Kardam, PS: Tilak Nagar. I have interacted with the parties and they confirm that the matter has been amicably settled between them without any threat, pressure or coercion. Respondent No. 2 also states that nothing remains to be further adjudicated upon between the parties and she has no objection in case the FIR in question is quashed.

6. Petitioner in the present case seeks to invoke the powers under Section 482 of Code of Criminal Procedure. The same is to be used to secure the ends of justice or to prevent the abuse of process of any Court. In which cases, the power to quash the criminal proceedings or the complaint or FIR may be used when the offender as well as victim have settled their dispute,



would depend upon the facts and circumstances of each case and no generalised list or categories can be prescribed. However, the Court is required to give due regard to the nature and gravity of the offence and consider the impact on the society.

7. Parties intend to put quietus to the proceedings and move forward in life. Considering the facts and circumstances, since the matter has been amicably settled between the parties, no useful purpose shall be served by keeping the case pending. Continuation of proceedings would be nothing but an abuse of the process of Court. Consequently, FIR No.688/2018 under Sections 354/354D(2)/509/506 IPC registered at P.S.: Tilak Nagar, Delhi and the proceedings emanating therefrom stand quashed.

Petition is accordingly disposed of. Pending application, if any, also stands disposed of.

A copy of this order be forwarded to learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

FEBRUARY 23, 2024/v