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

+ **CRL.M.C. 848/2024**

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..... Petitioner

Through: Ms. Shazia Kidwai, Mr. Yasin Mohd.,
Mr. Dilwar Barkaskar, Mohd. Sami,
Mr. Imran Jan, Advs.
Petitioner in person.

versus

GOVERNMENT OF NCT DELHI

..... Respondent

Through: Mr. Raghuinder Verma, APP for State
with Insp. Vikas Pannu and Insp.
Jagdeep Singh PS Hazrat Nizamuddin

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

20.03.2024

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1. The present petition has been filed by the petitioner/complainant under Section 482 CrPC seeking quashing of FIR No.272/2022 under Sections 506/354(D) IPC and Section 67(A) of IT Act, 2000 registered at Police Station Hazrat Nizamuddin and all consequential proceedings emanating therefrom on the ground that the complainant does not wish to continue with the prosecution of the FIR.
2. The petitioner is a native of Iran and is residing in India as a refugee with her 13 year old daughter in Jangpura Extension. On 07.09.2022, the petitioner made a complaint against the accused, an Afghan national who was also staying in India as a refugee, alleging that he was sending her obscene messages. The complaint of the petitioner / complainant culminated into the aforesaid FIR.
3. The quashing of the FIR has been sought on the ground that the accused person has left India and there is no possibility of him coming back



to India. Further, the continuation of present proceedings are affecting her career and other opportunities. The learned counsel for the petitioner submits that since the petitioner is a single mother, her case is under consideration by the UNHCR for resettlement to third country and thus she does not wish to continue the present proceedings.

4. The petitioner is present in Court. On a query posed by the Court she affirms that she does not wish to prosecute the criminal proceedings.

5. The prayer is not opposed by the State since it is a voluntary decision of the petitioner to seek quashing of FIR.

6. In view of the above facts and circumstances, more particularly the fact that the accused is not traceable and the petitioner does not wish to prosecute the present FIR, makes the chances of conviction of the accused remote and bleak.

7. Further, there does not appear to be any impediment in the quashing of FIR since the prayer for the same has been made by the complainant herself.

8. Therefore, to secure the ends of justice it would be expedient to grant relief of quashing of FIR, as prayed.

9. Consequently, the petition is allowed and the FIR No.272/2022 under Sections 506/354(D) IPC and Section 67(A) of IT Act, 2000 registered at Police Station Hazrat Nizamuddin alongwith all other proceedings emanating therefrom, is quashed.

10. The petition stands disposed of in the above terms.

11. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

MARCH 20, 2024/N.S. ASWAL