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

+ **CRL.M.C. 1155/2024**

KAMAL KUNWAR

..... Petitioner

Through: Mr.Ashin S. and Ms. Radhika Gupta,
Advocates with petitioner in person

versus

STATE & ANR.

..... Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with SI Ashish Kumar
Mr.Jatin Nanda, Advocate for respondent No.2
with respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

13.02.2024

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CRL.M.A. 4569/2024 (exemption)

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

CRL.M.C. 1155/2024

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.130/2022 registered under Sections 269/336 IPC at P.S. Chankya Puri, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR, respondent No.2 found a worm in his food.
3. Learned APP for the State submits that in the present case the



petitioner is the only accused person and respondent No. 2 is the only complainant/victim.

4. Learned counsels for the parties submit that the parties, have entered into a settlement vide Settlement Agreement dated 08.02.2024. It is further submitted that the settlement terms have already been complied with. In terms of the settlement, respondent No.2/complainant is now left with no claim whatsoever against the present petitioner.

5. The petitioner and respondent No.2, who are present in the Court, have been identified by their respective counsels as well as by the Investigating Officer.

6. The petitioner has shown remorse for the incident and undertakes that the same would not be repeated. Respondent No.2 states that he has entered into the aforesaid Settlement Agreement out of his own free will, volition and without any coercion. He further states that he has no objection if the present FIR and consequent proceedings are quashed.

7. Learned counsels for the parties submit that no other proceedings are pending between the parties.

8. The parties shall remain bound by the statements made in Court today.

9. 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 cost of Rs.5,000/- to be deposited with the Delhi State Legal Services Authority within a period of two 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.

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

11. With the above directions, the petition is disposed of.

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

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

MANOJ KUMAR OHRI, J

FEBRUARY 13, 2024

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