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

+ **CRL.M.C. 1437/2024**

SHRI VARUN RAJPUT

.....Petitioner

Through: Mr. Varun Dhingra, Mr. Sumeet Singh Chauhan, Mr Akshay Kumar Chauhan, Advocates.

versus

STATE GOVT. OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Pradeep Gahalot, APP for State with W/SI Sonia, PS: Bharat Nagar. Mr. Ajay Khatana, Adv for R-2 along with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

02.08.2024

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1. This petition has been filed seeking quashing of FIR no. 164/2022 registered at PS Bharat Nagar, Delhi, under Sections 354/354A IPC and Section 10 POCSO.
2. The settlement dated 26th October, 2023 was arrived at, pursuant to which divorce was granted to the parties by a decree dated 10th January, 2024.
3. Petitioner no.1 and respondent no. 2 were married on 08th December, 2008 and two children were born out of wedlock.
4. Respondent no.2 complainant is present in the Court and she speaks on behalf of herself and her child respondent no.3, and states that have no pressure or coercion, and they have finally decided to settle the matter.



5. As per the settlement, full amount in total of 37 lacs had to be paid, out of which the outstanding balance of 10 lacs is being paid today *vide* DD no.623387 drawn on South Indian Bank dated 16th May, 2024. The same has been handed over to respondent no.2 who has duly received it in Court.
6. Affidavit of respondent no.2 are also on record providing her no objection to the same.
7. Petitioner is also present before the Court and is duly identified by the IO.
8. Considering the above settlement between the parties and the chances of conviction of the petitioners being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Accordingly, the petition is allowed. Consequently, the FIR No. 164/2022 under Sections 354/354A IPC and Section 10 POCSO registered at PS Bharat Nagar, Delhi and proceedings emanating therefrom are quashed.
9. Parties shall abide by the terms of settlement.
10. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.
11. It is however made clear that the said settlement will not affect the rights of the minor child in future.
12. Order be uploaded on the website of this Court.

ANISH DAYAL, J

AUGUST 2, 2024/RK

Click here to check corrigendum, if any