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

+ CRL.M.C. 969/2022
MOHD ZULFIKAR @ MD KASEEF & ORS.

..... Petitioners

Through: Mohd. Shuaib Khan and
Mr.Lovedeep Gaur, Advs.
along with petitioners in person.

versus

THE STATE (NCT OF DELHI) & ORS.

..... Respondents

Through: Ms.Priyanka Dalal, APP with
SI Neelam
Mr.R.K.Singh, Adv. for R-2 to
R-5 along with respondents in
person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
01.02.2024

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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.0030/2016 registered at Police Station: Sadar Bazar, District North, Delhi originally under Sections 509/323/34 of the Indian Penal Code, 1860 (in short, 'IPC') and later charges under Sections 354/354A of the IPC added in the supplementary charge-sheet filed by the prosecution, along with all other proceedings arising therefrom, on the basis of a settlement.

2. In the meantime, the parties have amicably settled their *inter se*



disputes and have entered into a settlement vide Settlement/Agreement Deed dated 15.02.2022.

3. The Complainant and the victims are also present in Court and have been duly identified by the learned counsel for the petitioners as also by the Investigating Officer (IO) and they submit that they do not wish to proceed with their complaint any further which was filed due to some misunderstanding between the parties.

4. I have perused the contents of the FIR, Charge sheet and also the settlement between parties.

5. Keeping in view the facts of the present case 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.

6. 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, 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.

7. Accordingly, the petition is allowed. FIR No.0030/2016 registered at Police Station: Sadar Bazar, District North, Delhi under Sections 509/323/34/354/354A of the IPC 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.

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

9. The petition is disposed of in the above terms.

NAVIN CHAWLA, J

FEBRUARY 1, 2024/ns/ss

Click here to check corrigendum, if any



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