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

+ **W.P.(CRL) 721/2024**

SANTOSH KAUR Petitioner

Through: Mr.Anand Maheshwari and
Mr.Parveen, Advs. along with
petitioner in person.

versus

THE NCT STATE OF DELHI & ANR. Respondents

Through: Ms.Rupali Bandhopadhyia, ASC
with Mr.Abhijeet Kumar, Adv.
SI Mahayir
Ms.Kiran Singh, Adv. for R-2.
Respondent no.2 (through VC).

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **01.03.2024**

1. This petition has been filed under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No. 0267/2022 registered at Police Station: Desh Bandhu Gupta Road, Karol Bagh, New Delhi under Sections 420/468/471 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.

2. Issue Notice

3. Notice is accepted by Ms.Rupali Bandhopadhyia, learned ASC and by Ms.Kiran Singh, learned counsel for respondent no.2.

4. The parties, that is, the petitioner and the respondent no.2 have



settled their *inter se* disputes and have entered into a settlement, before the learned Additional District Judge-08, Central District, Tis Hazari Courts, Delhi in Civil Suit No. 188/2022 as recorded in order dated 03.02.2024 along with the statement of respondent no.2.

5. The respondent no.2, who is present through video conferencing and has been duly identified by the Investigating Officer (IO), affirms the settlement and states that she has settled all the disputes with the petitioner of her own free will and without any coercion. The respondent no.2 submits that she has no objection if the present FIR is quashed.

6. I have perused the contents of the FIR and also the settlement between the parties.

7. The disputes between the petitioner and respondent no.2 have been amicably settled. Though the learned ASC for the State submits that there are serious allegations of a document being forged by the petitioner herein, but keeping in mind that the respondent no.2 is a senior citizen and does not wish to pursue her complaint any further, and as the Settlement is arrived at between the parties out of their own free will and volition, in my view, no useful purpose shall be served in continuing with the proceedings of the present FIR. It would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

8. 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 335, 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.

9. Accordingly, the petition is allowed. FIR No. 0267/2022 registered at Police Station: Desh Bandhu Gupta Road, Karol Bagh, New Delhi under Sections 420/468/471 of IPC and all consequential proceedings emanating therefrom against the petitioner are quashed, subject to the condition that the petitioner shall deposit costs of Rs.35,000/- 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.

10. 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.

NAVIN CHAWLA, J

MARCH 1, 2024/ns/am

Click here to check corrigendum, if any