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

+ CRL.M.C. 1796/2024

MOHD SADIK ALIAS MONU

.....Petitioner

Through: Counsel (appearance not given) with
petitioner in court.

versus

THE STATE AND ANR

.....Respondents

Through: Ms. Shubhi Gupta, APP for the State.
R2 in court.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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19.09.2024

By way of the present petition filed under section 482 of the Code of Criminal Procedure 1973, the petitioner and respondent No.2, seek quashing of case FIR No.485/2022 dated 26.07.2022 registered under section 363 of the Indian Penal Code, 1860 ('IPC') at P.S.: Jagat Puri, Delhi. Consequent upon completion of investigation, allegations under section 376 IPC and sections 6 of the Protection of Children from Sexual Offences Act, 2012 have been added vide chargesheet dated 23.09.2022.

2. Notice on this petition was issued on 04.03.2024. Status Report dated 14.05.2024 has been filed on behalf of the State.
3. The petition is premised on Compromise Deed dated 11.02.2024, whereby the petitioner and respondent No. 2 have resolved the matter amicably.
4. The petition is supported by affidavits of the petitioners and of respondent No. 2, alongwith proof of their I.D.s.



5. Respondent No.2 is present in court. The father of respondent No.2, who is the complainant in the matter, is stated to be in judicial custody in another case.
6. The court has interacted with respondent No.2. She states that her physical relations with the petitioner were consensual; that the subject FIR was filed by her father and not at her instance; that she has now performed *nikah* with the petitioner; and that they have also had a child together who is now about 1½ years old. Furthermore, respondent No.2 has categorically said that she does not wish to pursue any further action in the subject FIR. Parties now wish to live in peace and harmony going forward.
7. Ms. Shubhi Gupta, learned APP confirms that the State has no objection to the subject FIR being quashed.
8. In the circumstances, in line with the law laid down by the Supreme Court in ***Gian Singh vs. State of Punjab & Anr.*** reported as (2012) 10 SCC 303 as also in ***Narinder Singh & Ors. vs. State of Punjab & Anr.*** reported as (2014) 6 SCC 466, this court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. This court is of the view that in light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be an exercise in futility and would not be conducive to peace and harmony between the parties.
9. Accordingly, FIR No. 485/2022 dated 26.07.2022 registered under section 363 IPC at P.S.: Jagat Puri, Delhi is quashed. All proceedings arising therefrom also stand closed.



10. Petition stands disposed-of.
11. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

SEPTEMBER 19, 2024
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