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

+ **CRL.M.C. 2297/2024**

NAVEEN SAHAI

..... Petitioner

Through: Mr.Tarun Garg, Advocate with
petitioner in person

versus

STATE (GOVT. OF NCT OF DELHI) & ANR. Respondents

Through: Mr. Laksh Khanna, APP for State with
SI Shiv Dayal Kumar

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **20.03.2024**

CRL.M.A. 8867/2024 (exemption)

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

CRL.M.C. 2297/2024 and CRL.M.A. 8866/2024 (stay)

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.508/2018 registered under Sections 392/448/34 IPC at P.S. Harsh Vihar, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR, the petitioner alongwith one *Praveen Sahai* trespassed into the shop of respondent No.2 and took away certain articles.
3. Learned APP for the State submits that in the present case, respondent



No.2 is the only complainant/victim and besides the present petitioner, there is another accused namely *Praveen Sahai*, who has not come forward.

4. Learned counsel for the petitioner submits that the parties have entered into a settlement vide Memorandum of Understanding/Settlement Cum Joint Compromise dated 07.12.2023. It is further submitted that out of the settled amount of Rs.6,00,000/-, the balance amount of Rs.3,25,000/- is being paid today through a cheque bearing No.013204 dated 20.03.2024 drawn on Punjab National Bank, Anand Vihar, Delhi. The petitioner assures that the said cheque would be encashed upon presentation. The statement is accepted, taken on record and he is made bound by the same. In terms of the settlement, respondent No.2 is now left with no claim whatsoever against the present petitioner.

5. The petitioner, who is present in the Court, has been identified by his counsel as well as by the Investigating Officer. Respondent No.2, who is also present in the Court, has been identified by the Investigating Officer.

6. The petitioner has shown remorse for his conduct and he undertakes not to repeat the same in future. Respondent No.2 state that he has entered into the aforesaid Memorandum of Understanding/Settlement Cum Joint Compromise 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 subject to encashment of the aforesaid cheque handed over to him.

7. Learned counsel for the petitioner submits 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 qua the present petitioner subject to encashment of the aforesaid cheque and further subject to payment of cost of Rs.20,000/- by the petitioner 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 alongwith the pending application.
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

MARCH 20, 2024/na