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

+ CRL.M.C. 2730/2024 & CRL.M.A. 10401/2024 (Exemption)

ANIL KUMAR AND ANR. & ANR.

..... Petitioners

Through: Mr. Mohit Yadav, Advocate
alongwith petitioners in person.

versus

THE STATE OF NCT OF DELHI & ANR. & ORS..... Respondents

Through: Mr. Hemant Mehla, APP for the State
SI Kumari Neeraj, PS Vasant Kunj
North.

Mr. Nihar Dagar, Advocate for R-2.
R-2 through VC.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

05.04.2024

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1. The present petition filed under Section 482 of the Cr.P.C. seeks quashing of the FIR No. 1021/2015, under Sections 354/354D/427/506/34 of the IPC, registered at P.S. Vasant Kunj North and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Komal Garg, learned Metropolitan Magistrate, Mahila Court-01, Patiala House Courts, Delhi.

2. Learned counsel appearing on behalf of the petitioners submits that the latter and respondent no. 2 are known to each other and on account of some misunderstanding the present FIR was registered on behalf of respondent no. 2. It is further submitted that during the pendency of the aforesaid proceedings, with the intervention of common friends and well-wishers the matter has been settled between the parties vide MoU dated 14.03.2024 and in pursuance of the same respondent no. 2 has no objection



if the present FIR is quashed against the petitioners.

3. Petitioners are present before the Court and complainant/respondent no. 2 through video conferencing and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Kumari Neeraj, PS Vasant Kunj North.

4. The complainant/respondent No.2 states that the matter has been settled with the petitioners and she has no objection if the FIR is quashed.

5. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.

6. In *Gian Singh v. State of Punjab*, (2012) 10 SCC 303, the Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

“61. ... In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.”

7. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 1021/2015, under Sections 354/354D/427/506/34 of the IPC, registered at P.S. Vasant Kunj North and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Komal Garg, learned Metropolitan Magistrate, Mahila Court-01, Patiala House Courts, Delhi.



8. In the interest of justice, the petition is allowed, and the FIR No. 1021/2015, under Sections 354/354D/427/506/34 of the IPC, registered at P.S. Vasant Kunj North and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Komal Garg, learned Metropolitan Magistrate, Mahila Court-01, Patiala House Courts, Delhi, is hereby quashed, subject to a cost of Rs. 10,000/- each to be deposited by the petitioners as a consolidated sum of Rs. 20,000/- with Delhi State Legal Services Authority [Account No. 18580110053263 and IFSC Code: UCBA0003364], within a period 10 days. The amount so deposited shall be utilised by the Delhi State Legal Services Authority for providing counselling/psychological support to POCSO victims requiring such assistance.

9. Petition is allowed and disposed of accordingly.

10. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

APRIL 05, 2024/sn

Click here to check corrigendum, if any