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

+ CRL.M.C. 2950/2024, CRL.M.A. 11288/2024 (stay)

PAWAN SETHI

.....Petitioner

Through: Mr. Sanjay Abbot, Advocate.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.....Respondents

Through: Mr. Hemant Mehla, APP for the State
with Inspector Gianender Singh, IO.
Ms. Namita Chadha, Ms. Rupali
Srivastava and Mr. Anubhav Mathur,
Advocates for the complainant.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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05.08.2024

1. The present Petition under Section 482 of the Code of Criminal Procedure (*hereinafter referred to as 'Cr.P.C, 1973*), has been filed jointly on behalf of the petitioner and the respondent No. 2, seeking quashing of FIR No. 90/2022 dated 06.02.2022, registered at Police Station Chitranjan Park, for the offence punishable under Sections 354-A/354-D/509 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) along with Section 67/67A of I.T. Act, 2000 and the Charge-Sheet under Section 173 of Cr.PC in Criminal Case No. 8868/2022, titled as '*State vs. Pawan Sethi*'.
2. Issue notice.
3. Mr. Hemant Mehla, learned APP accepts notice on behalf of the State.



4. Briefly stated the petitioner is aged about 55 years and is a post graduate and a family man engaged in business in New Delhi. The respondent No. 2 is aged about 54 years and is lawyer by profession. The respondent studied at the same College i.e. Campus Law Centre, New Delhi from 1989 to 1992. Thereafter, the petitioner tried to contact the respondent and sent several text and virtual messages by WhatsApp in the year 2022 and the communication led to misunderstanding between them.

5. *Vide* Order dated 30.09.2022, the learned Trial Court summoned the accused and the Charges are yet to be framed against the accused.

6. It has been submitted that the matter has been amicably settled between the respondent No.2 and the petitioner, with the intervention of the family members and friends of both the parties. The Memorandum of Understanding/Settlement dated 08.04.2024, is already on record. As per the terms of the Settlement, the petitioner shall not contract the respondent No. 2 in future either in person or otherwise. It is also stated that the respondent No. 2 shall not proceed with the proceedings initiated against the petitioner in the aforesaid FIR. It is also stated that the respondent No. 2 shall appear before the High Court and provide a No-objection Certificate/Affidavit for quashing of the aforesaid FIR, which culminated into the proceedings bearing Cr. Case No. 8868/2022, pending before the learned Metropolitan Magistrate, Mahila Court-01, South District, Saket Court, New Delhi.

7. A request for quashing of the FIR has been made on account of the Memorandum of Understanding/Settlement *inter se* the parties. In view of the settlement, the present Petition has been filed.

8. The parties are present in the Court in person and have been identified by their counsel and Investigating Officer concerned. The parties have



endorsed the amicable settlement and accepted the terms thereof voluntarily.

9. Today, the complainant, who is present in Court states that she has no objection, if the FIR is quashed.

10. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion. Hence, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto. Moreover, there is no legal impediment in quashing the FIR in question.

11. Accordingly, FIR No. 90/2022 dated 06.02.2022, registered at Police Station Chitranjan Park, for the offence punishable under Sections 354-A/354-D/509 of the IPC along with Section 67/67A of I.T. Act, 2000 and the Charge-Sheet under Section 173 of Cr.PC in Criminal Case No. 8868/2022, titled as '*State vs. Pawan Sethi*' and all consequential proceedings emanating therefrom are quashed.

12. The Petition stands disposed of along with the pending application.

NEENA BANSAL KRISHNA, J

AUGUST 5, 2024/RS