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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 3055/2024

GAGAN KUMAR

.....Petitioner

Through: Mr. Pawan Kumar, Mr. Sanjay Pedha
and Mr. Yash Sharma, Advs. with
petitioner in person.

versus

STATE

.....Respondent

Through: Mr. Shoaib Haider, APP for State with
SI Pooja, PS Safdarjung Enclave.
R-2 (through video-conferencing).

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

15.10.2024

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1. By way of present petition, the petitioner seeks quashing of FIR No. 689/2014 registered under Sections 354(D)/509 IPC at Police Station Safdarjung Enclave, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR, the petitioner repeatedly contacted the respondent No.2 against her wishes and used abusive language with her, causing her mental distress.
3. Learned APP for the State, on instructions, submits that the petitioner is the only accused and respondent No. 2 is the only complainant/victim in the present case. It is further submitted that the chargesheet has already been filed in this case. Learned APP also submits that though the parties have compromised, some costs may be imposed on the petitioner since the State machinery has already been put in motion and the allegations are of a



serious nature.

4. Learned counsel for the petitioner submits that the present FIR was registered due to a misunderstanding between the parties and that with the intervention of common friends and well-wishers, the parties have amicably settled their disputes vide Memorandum of Understanding dated 25.09.2023, a copy of which has been placed on record. In terms of the said settlement, the complainant is now left with no claims or grievances against the petitioner.

5. The petitioner, who is present in Court, has been identified by his counsel as well as by the I.O./SI Pooja, PS Safdarjung Enclave, Delhi who is present in Court. The petitioner has shown remorse for his conduct and undertakes not to repeat the same in future.

6. Respondent No. 2 has also joined the proceedings through video-conferencing and has been identified by the I.O. Respondent No. 2 states that she has entered into the settlement out of her own free will, volition and without any coercion. She further states that she has no objection if the present FIR and consequent proceedings are quashed.

7. The parties shall remain bound by the statements made in Court today.

8. In view of the above facts and considering that no useful purpose will be served in continuance of the proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed, subject to the payment of cost of Rs. 5000/- to be paid to the complainant/respondent No.2 through the concerned I.O. by way of a demand draft within one week from today.

9. With the above directions, the petition is disposed of.



10. In case the proof of cost is not filed within two weeks, the I.O. shall be at liberty to move an appropriate application in this regard.

MANOJ KUMAR OHRI, J

OCTOBER 15, 2024

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