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

+ CRL.M.C. 3524/2024

JATIN & ANR.

.....Petitioners

Through: Mr. Gautam Pal, Adv.

versus

THE STATE & ORS.

.....Respondents

Through: Mr. Hitesh Vali, APP for the State
with SI Khushbu Jha, PS Anand
Vihar.

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+ CRL.M.C. 3798/2024

SABIN KHAN @ SABINA KHAN & ANR.

.....Petitioners

Through: Mr. Gautam Pal, Adv.

versus

THE STATE & ORS.

.....Respondents

Through: Mr. Hitesh Vali, APP for the State
with SI Khushbu Jha, PS Anand
Vihar.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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15.07.2024

1. These petitions have been filed seeking quashing of FIR Nos. 428/2014 & 436/2014 PS Anand Vihar under Sections 354/354A/392/509/34 IPC & Section 8 of the POCSO Act on the basis of a settlement arrived at between the parties dated 21st October, 2023.
2. Cross-FIRs have been filed arising out of an incident on 13th July,



2014 at the Shiv Tikki Shop at Karkardooma Community Centre when objections were taken at some of accused by the complainant and the complainant was pushed back and bad language was used. The FIR No.428/2014 was accordingly registered at the behest of the complainants.

3. Thereafter, the FIR was registered at the behest of the wife of the accused against the complainants alleging that the complainants had in fact pulled them out of the car and used strong words.

4. Perusal of the complaints shows that it is a private issue between the parties arising out of a quarrel and *ex-facie* there is no allegation apparent leading to an offence under Section 392 IPC or POCSO for that matter.

5. In any event, all the parties are present before the Court and duly identified by the IO and seek to settle their issues by virtue of the settlement.

6. Considering the above settlement between the parties and the chances of conviction of the petitioners being remote and bleak, there is no use continuing with proceedings of the present FIRs as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Accordingly, the petition is allowed. Consequently, the FIR Nos. 428/2014 & 436/2014 PS Anand Vihar under Sections 354/354A/392/509/34 IPC & Section 8 of the POCSO Act and proceedings emanating therefrom are quashed.

7. Parties shall abide by the terms of settlement.

8. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.

9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JULY 15, 2024/MK