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

+ **CRL.M.C. 4189/2024**

WASIM SAIFI

..... Petitioner

Through: Mr. Yogesh Kumar, Advocate with
petitioner in person

versus

STATE (NCT OF DELHI) AND ORS

..... Respondent

Through: Mr. Utkarsh, APP for State with SI
Braham Praakash, P.S. Sultanpuri
R-2 in person

CORAM:

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

% **19.06.2024**

CRL.M.A. 15886/2024 (exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 4189/2024

1. The present petition is filed under section 482 Cr.P.C. for quashing of FIR bearing no. 1043/2019 dated 20.10.2019 registered under section 354D IPC at P.S. Sultan Puri, Delhi alongwith judicial proceedings stated to be pending in the court of Ms. Preeti Rajoria, MM (Mahila Court), North-West, Rohini Courts, Delhi/Successor Court.
2. Issue notice.
3. Mr. Utkarsh, Additional Public Prosecutor being assisted by Investigating Officer SI Braham Prakash, PS Sultan Puri accepts notice on behalf of respondent no.1/State. The respondent no. 2 is present in person



and accepts the notice.

4. FIR bearing no. 1043/2019 was got registered on the basis of complaint made by respondent no.2 regarding the incident stated to be happened on 20.10.2019 on the allegations as stated in the FIR. The petitioner and the respondent no.2 are identified by the Investigating Officer. After conclusion of investigation, the charge-sheet has been filed wherein the petitioner was implicated. The trial is stated to be pending in the court of Ms. Preeti Rajoria, MM (Mahila Court), North-West, Rohini Courts, Delhi.

5. The statement of the respondent no. 2 was recorded under section 164 Cr.P.C during the investigation by Ms. Supreet Kaur, Link MM, North-West district, Rohini courts, Delhi vide proceedings dated 31.10.2019 wherein the respondent no.2 has stated that she has filed a complaint on 20.10.2019 at P.S. Sultan Puri against the petitioner by mistake and she is willing to withdraw the complaint filed by her without any pressure from any side.

6. The counsel for the petitioner stated that the petitioner and the respondent no.2 have already settled their disputes vide Settlement (Particulars not supplied) and the same is also mentioned in the affidavit/NOC dated 16.05.2024 filed by the respondent no.2, whereby the respondent no.2 has agreed not to pursue the judicial proceedings arising out of the present FIR. The petitioner undertakes not to interfere or cause any disturbance in the life of the respondent no.2 or her family members. The counsel for the petitioner prayed that the present petition be allowed and FIR bearing no. 1043/2019 be quashed alongwith consequential judicial proceedings.

7. The respondent no. 2 stated that the present FIR pertains to the incident which happened in the year 2019 and she has agreed not to pursue



the judicial proceedings arising out of the present FIR out of her own free will without any force, fear or coercion and an affidavit/ NOC is also filed by the respondent no.2 in that regard. She does not have any objection if the present petition is allowed and FIR bearing no. 1043/2019 is quashed alongwith consequential judicial proceedings.

8. The Additional Public Prosecutor for the respondent no.1/State also stated that keeping in view the future welfare of the respondent no.2 and other circumstances pertaining to the respondent no.2, he does not have any objection if the present petition is allowed and FIR bearing no. 1043/2019 is quashed alongwith consequential judicial proceedings.

9. The present FIR bearing no. 1043/2019 was got registered on the basis of incident stated to be happened on 20.10.2019. The petitioner and the respondent no. 2 have already settled their pending disputes vide settlement (Particulars not supplied). The petitioner has undertaken not to repeat the acts subject matter of the present FIR in the future. No useful purpose shall be served if the proceedings arising out of FIR bearing no. 1043/2019 are allowed to be continued.

10. After considering all facts, the present petition is allowed and FIR bearing no. 1043/2019 registered under section 354D IPC at P.S. Sultan Puri is quashed along with consequential proceedings including judicial proceedings stated to be pending in the court of Ms. Renu Chaudhary, MM (Mahila Court), North-East, Karkardooma Courts, Delhi/Successor Court.

11. The present petition stands disposed of.

DR. SUDHIR KUMAR JAIN
(VACATION JUDGE)

JUNE 19, 2024/j/abk