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

+ CRL.M.C. 3866/2022 & CRL.M.A. 16109/2022

RAKESH JAIN & ANR.

..... Petitioners

Through: Mr.Arun Khatri, Mr.Akshay
and Mr.Sahil Khurana, Advs.

versus

STATE & ORS.

..... Respondents

Through: Mr.Sanjeev Sabharwarl, APP
with SI Pratibha.

Mr.Rana Prashant, Adv.for R-2
& 3 with R-2 & 3 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **19.01.2024**

1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No. 142/2010 registered at Police Station: Adarsh Nagar, New Delhi under Sections 354/323/34 of the Indian Penal Code, 1860 (in short, 'IPC') along with all other proceedings emanating therefrom.

2. The learned counsel for the petitioners submits that the parties have amicably resolved their *inter se* disputes and have entered into a settlement agreement dated 10.05.2018 before the Delhi Mediation Centre, Rohini Courts, Delhi.

3. The respondent nos.2 and 3, who are present in person and have been duly identified by the IO, re-affirm the abovementioned settlement and submit that they do not have any objection with the quashing of the subject FIR.

4. Considering the abovementioned Settlement between the parties and being guided by the principles enunciated by the Supreme Court



in its judgments in *Gian Singh v. State of Punjab*, (2012) 10 SCC 303; *Parbatbhai Aahir @ Parbatbhai Bimsinh Karmur & Ors. v. State of Gujarat & Ors.* and (2017) 9 SCC 641 and *State of Haryana & Ors. v. Bhajan Lal & Ors.* 1992 Supp (1) SCC 3, I find that there would be no use in continuing with the proceedings of the present FIR as it would rather create further acrimony between the parties and will be a misuse of the process of the Court and an unnecessary burden on the State exchequer.

5. Accordingly, the petition is allowed. Consequently, the FIR No. 142/2010 registered at Police Station: Adarsh Nagar, New Delhi under Sections 354/323/34 of the IPC and all consequential proceedings emanating therefrom qua the petitioners, are quashed, subject to the condition that the petitioners deposit costs of Rs.15,000/- each with Delhi State Legal Services Authority within a period of four weeks from today. The costs so deposited shall be utilised by the Delhi State Legal Services Authority for providing counselling/psychological support to the POCSO Victims requiring such assistance.

6. The petitioners shall file proof of such deposit of the above costs with the Registry of this Court and also supply a copy thereof to the concerned IO within the said period.

7. The petition is allowed in the above terms. The pending application is also disposed of being rendered infructuous.

NAVIN CHAWLA, J

JANUARY 19, 2024/Arya/AS

[Click here to check corrigendum, if any](#)