



\$~36

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

CRL.M.C. 4519/2024 & CRL. MAs 17026-27/2024

KAMAL GUPTA & ORS.

..... Petitioners

Through: Mr. Uttam Datt, Ms. Sonakshi Singh,
Mr. Kumar Bhaskar, Advocates with
petitioners (through VC).

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with SI Sachin Dhama PS Shalimar
Bagh, Delhi and ASI Sushma
Chauhan PS Mayapuri, Delhi.
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

%

29.05.2024

1. The present proceedings are instituted under Section 482 Cr.P.C. on behalf of the petitioners seeking quashing of FIR No. 407/2019 registered under Sections 354/354B/509/323/34 IPC at Police Station Shalimar Bagh, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR, on account of some disagreement, the petitioners gave beatings to the complainant which resulted in the complainant sustaining injuries.
3. Learned APP for the State, on instructions, submits that the petitioners are the only accused persons and respondent No.2 is the complainant/victim in the present case. It is further submitted that the charge-sheet has already been filed.
4. Learned counsel for the petitioners submits that the present FIR was registered due to misunderstanding and with the intervention of family



members and friends, parties have amicably settled their disputes vide Settlement Agreement dated 07.05.2024, a copy of which has been placed on record. In terms of the said settlement, complainant is now left with no claim or grievance against the petitioners.

5. The petitioners, who are present in Court, have been identified by their counsel as well as the I.O./ SI Sachin Dhama PS Shalimar Bagh, Delhi and ASI Sushma Chauhan PS Mayapuri, Delhi who is present in the Court. Respondent No. 2 is also present in Court and has been identified by the I.O.

6. The petitioners have shown remorse for their conduct and undertake not to repeat the same in future. Respondent No. 2 also states that she has entered into the aforementioned 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 payment of cumulative cost of Rs.10,000/- to be deposited by each of the petitioners with the Delhi State Legal Services Authority(Account No.18580110053263, UCO Bank, Branch Rouse Avenue, IFSC: UCBA0003364) within a period of two weeks from today. The amount so deposited shall be utilized by the Delhi State Legal Services Authority for providing counselling/psychological support to POCSO victims requiring such assistance.

9. Proof evidencing receipt of deposit shall be filed with the I.O. In case



proof of deposit is not filed within stipulated time, the IO shall be at liberty to move an appropriate application in this regard.

10. A copy of this order be communicated to the Member Secretary, Delhi State Legal Services Authority for intimation.

11. With the above directions, the petition is disposed of alongwith miscellaneous applications.

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

MANOJ KUMAR OHRI, J

MAY 29, 2024/rd