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

+ **CRL.M.C. 4743/2024**

ABHISHEK SINGH

..... Petitioner

Through: Mr. Shaantanu Devansh and Ms. Rudrali Patil, Advocates with petitioner in person

versus

STATE OF DELHI NCT AND ANR

..... Respondents

Through: Mr. Aashneet Singh, APP for State with SI Sandeep and HC Pawan Gill
Respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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31.05.2024

CRL.M.A. 17731/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

CRL.M.C. 4743/2024 and CRL.M.A. 17730/2024 (stay)

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.591/2023 registered under Section 174A IPC at P.S. Punjabi Bagh, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR the accused was declared proclaimed offender subsequent to which the current FIR under Section 174A IPC came to be lodged against him.



3. Learned APP for the State submits that in the present case the petitioner is the only accused and respondent No.2 is the only complainant/victim.

4. Learned counsel for the petitioner submits that the parties have entered into a settlement vide Memorandum of Understanding (MOU) dated 11.12.2023 and in terms of the settlement, respondent No.2 is now left with no claim or grievance whatsoever against the petitioner. On merits, it is submitted that it was petitioner's brother Anudeep Singh who had avail the loan from the complainant and when he could not repay, the petitioner offered his own cheque. Thereafter, the petition relocated to Gurugram as he got a job in Oravel Stays Pvt Ltd. and started residing at his friend's house in Sector 62, Badshahpur Chowk, Plaza Gurugram. Owing to disputes arising between him and his brother on account of death of their mother, the petitioner further distanced himself from his family. It is only on 22.05.2022 that he for the first time became aware of the complaint case. He immediately contacted the complainant and settled the case by paying the remaining balance amount.

5. The petitioner, who is present in the Court, has been identified by his counsel as well as by the Investigating Officer. Respondent No.2, who is present in the Court, has also been identified by the Investigating Officer.

6. The petitioner has shown remorse for his conduct, and he undertakes not to repeat the same in future. Respondent No.2 states that he has entered into the aforesaid MOU out of his own free will, volition and without any coercion and acknowledges the receipt of the entire amount under the settlement. He further states that he has no objection if the present FIR and consequent proceedings are quashed.



7. Learned counsel for the petitioner submits that no other proceedings are pending between the parties.
8. The parties shall remain bound by the statements made in Court today.
9. In view of the above facts and since no useful purpose will be served in continuance of the present criminal proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed, subject to payment of cost of Rs.25,000/- by the petitioner to be deposited with the Delhi State Legal Services Authority (A/c No.: 18580110053263, Bank: UCO BANK, Branch: Rouse Avenue, IFSC: UCBA0003364) within a period of four 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.
10. Proof evidencing receipt of deposit shall be filed with the I.O. In case the receipt of cost is not filed within the stipulated time, the I.O. shall be at liberty to move an appropriate application.
11. With the above directions, the petition is disposed of alongwith the pending application.
12. Let a copy of this order be communicated to the Member Secretary, Delhi State Legal Services Authority for information

MANOJ KUMAR OHRI, J

MAY 31, 2024

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