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

+ CRL.M.C. 5293/2024, CRL.M.A. 20251/2024
ARUN KUMAR CHAUDHARYPetitioner
Through: Mr. Atik Gill.

versus

THE STATE NCT OF DELHI AND ANR.Respondent
Through: Mr. Pradeep Gehlot, APP for the State
with SI Ankur, PS: Mundka.
Mr. Sudhir Kumr Shukla, Advocates.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

% **ORDER**
12.07.2024

CRL.M.A. 20252/2024 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 5293/2024

1. This petition has been filed for quashing of the FIR No.376/2014 registered under Section 363 IPCat PS: Mundkaon the ground of settlement dated 06th July, 2024, arrived at between the parties, which is on record of this Court.
2. Petitioner and respondent no.2 are present in Court and are duly identified by the IO. Respondent no.2 states that he does not wish to pursue these proceedings any further.
3. The present FIR was registered on the complaint of the father of the



respondent no.2, when respondent no.2 was 16 years and went missing from the playground in his school. The petitioner who was the hostel warden got roped in.

4. However, the issue now has been subsequently compromised since the father of the respondent no. 2 finally took him away from the school. The petitioner has since retired from his school job.

5. The matter has been pending for the last 10 years and proceedings have been going on. Charges have been framed, although, the trial has not progressed.

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 FIR 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 No. 376/2014 under Section 363 IPC registered at PS Mundka and proceedings emanating therefrom are quashed.

7. In these circumstances, the FIR is directed to be quashed subject to the petitioner paying costs of Rs. 25,000/- to Delhi Police Welfare Fund within two weeks from today. Confirmation of the deposit shall be placed on record within two weeks thereafter.

8. Parties shall abide by the terms of the settlement.

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

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

ANISH DAYAL, J

JULY 12, 2024/RK/na