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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 7402/2023

MOHD. SUMAIR

..... Petitioner

Through: Mr. Vishal Raj Sehijpal, Advocate
with petitioner in person.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Ritesh Kumar Bahri, APP with SI
Manish, P.S. Jamia Nagar.
Mr. M.N. Siddiqui, Advocate for
respondent No.2 alongwith
respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

10.01.2024

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1. The present proceedings are instituted under Section 482 Cr.P.C. on behalf of the petitioners seeking quashing of FIR No. 147/2018 registered under Sections 386/506/34 IPC and Sections 25 of the Arms Act at Police Station Jamia Nagar, Delhi on the ground that the parties have amicably settled their disputes.

2. As per the allegations levelled in the FIR, the complainant/respondent No.2 alleged that on the intervening night of 4/5th April, 2018 when complainant was returning after visiting his plot at Dhobi Ghat, Batla House, near Variation Public School, petitioner along with his accomplices obstructed his way and pointed a pistol on his forehead. They threatened him with dire consequences and also demanded Rs.10 lacs in respect of a plot.



3. Mr. Bahri, learned APP for the State, on instructions, submits that the petitioner is the only accused person and respondent No.2 is the only complainant/victim in the present case. It is further submitted that prosecution evidence is yet to begin in the present case.
4. Learned counsel for the petitioner submits that the petitioner and respondent No. 2 are known to each other being neighbours and present FIR was registered due to misunderstanding and with the intervention of family members and friends, parties have amicably settled their disputes vide Memorandum of Understanding dated 05.10.2023, 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 petitioner.
5. Petitioner and respondent No.2, who are present in Court, have been identified by their respective counsel as well as the I.O./SI Manish, P.S. Jamia Nagar, who is present in the Court.
6. Petitioner has shown remorse for his conduct and undertakes not to repeat the same in future. Respondent No. 2 also states that he has entered into the aforementioned MOU out of his own free will, volition and without any coercion. He further states that he has no objection if the present FIR and consequent proceedings are quashed and has also placed an affidavit in this regard.
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 Rs.50,000/- to be deposited by the petitioner with the



Delhi State Legal Services Authority within a period of four weeks from today. The amount so deposited shall be utilized by the DSLSA for providing counselling/psychological support to POCSO victims requiring such assistance.

9. Proof evidencing receipt of deposit shall be filed with the I.O. as well as in Court.

10. A copy of this order be communicated to the Member Secretary, DSLSA for intimation.

11. With the above directions, the petition is disposed of alongwith miscellaneous application, if any.

MANOJ KUMAR OHRI, J

JANUARY 10, 2024

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