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

+ **CRL.M.C. 7404/2023**

GAURAV CHHIBBER

..... Petitioner

Through: Ms. Niharika Kundu Ghosh,
Advocate with petitioner in person
(M: 9899451108).

versus

STATE (NCT OF DELHI) & ANR.

..... Respondents

Through: Mr. Ritesh Kumar Bahri, APP for
State with SI Vandana, PS Hari
Nagar, New Delhi.
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

04.01.2024

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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. 426/2018 registered under Sections 323/354/509/34 IPC at Police Station Hari Nagar, New Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR, the present case was registered on the complaint of respondent No. 2/complainant against the petitioner. The complainant alleged that on 13.09.2019, the petitioner entered premises of Rachna Furniture situated at shop No. GL-18, Jail Road Hari Nagar, of which the petitioner's husband is the proprietor. The petitioner after having entered, manhandled, abused, kicked and pushed her causing physical as well as mental damage to her health.



3. Mr. Ritesh Kumar 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. He further submits that in the present case charge sheet has already been filed.

4. Learned counsel for the petitioner submits that the parties are related to each other and the present FIR was registered due to misunderstanding and with the intervention of the elders, close relatives and well-wishers, the parties have amicably settled their disputes vide Settlement Agreement dated 02.07.2022, a copy of which has been placed on record as *Annexure B*. In terms of the said settlement, respondent No. 2/complainant is now left with no claim or grievance against the petitioner.

5. The petitioner, has joined the proceedings and are identified by his counsel as well as the Investigating Officer/SI Vandana, PS Hari Nagar, New Delhi, who is present in the Court today. Respondent No. 2 has also joined the proceedings and is also identified by the Investigating Officer. The gate pass of respondent No.2 is taken on record.

6. The petitioner has shown remorse for his conduct and he undertakes not to repeat the said act in future. Respondent No. 2 also states that she has entered into the aforementioned settlement agreement 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. 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 proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed, subject to payment of consolidated cost of Rs.5,000/- by the petitioner, with the *Delhi High Court Legal Services Committee* within a period of week from today. The amount so deposited shall be utilized by the DLSA for providing counselling/psychological support to POCSO victims requiring such assistance.

10. Proof evidencing receipt of deposit shall be filed with the Investigating Officer as well as in Court.

11. With the above directions, the petition is disposed of.

12. Let a copy of this order be sent to Member Secretary, DLSA.

MANOJ KUMAR OHRI, J

JANUARY 4, 2024/rd