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

+ CRL.M.C. 5449/2024

VIKAS KUMAR

.....Petitioner

Through: Mr. Nishant Khatri, Advocate with
petitioner.

versus

THE STATE (THROUGH NCT OF DELHI), THROUGH SHO P.S.
SHAKARPUR, & ANR.

.....Respondents

Through: Mr. Hemant Mehla, APP for the State
with SI Priya, PS Shakarpur.
Ms. Kaveri Rawal, Advocate for R2
with R2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

20.09.2024

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1. The present Petition under Section 482 of the Code of Criminal Procedure (*hereinafter referred to as 'CrPC, 1973'*) has been filed on behalf of the petitioner seeking to quash the FIR No. 560/2021 dated 09.11.2021 for the offence under Sections 354/376/506/328 of the Indian Penal Code (*hereinafter referred to as 'IPC, 1860'*) registered at Police Station Shakarpur, Delhi and all consequential proceedings emanating therefrom.

2. Issue notice.

3. Mr. Hemant Mehla, learned Additional Standing Counsel appearing on advance notice, accepts notice on behalf of the State.

4. Brief facts of the case are that the respondent No. 2/complainant came to Delhi approximately one and a half years ago from Muradabad for preparing UPSI. Thereafter, she met the petitioner in the Police Station



because of an altercation regarding the money in some PG. On January, 2021, Vikas took the respondent No. 2 to Simla and Kangra in Jawala Ji Temple and applied tika on her forehead and tied a thread on her neck. Thereafter, the petitioner went back on training and he stopped receiving phone. He threatened the complainant that he is an SI and he will entangle her in a false case. The respondent No. 2/complainant states that they were in a voluntary relationship but she had misunderstanding that the petitioner intends to marry her. Subsequently all the misunderstandings have got cleared. The petitioner had already got married and she intends to move forward in her life.

5. It is further submitted that on 12.03.2022, on the complaint of respondent No. 2, an FIR 560/2021 dated 09.11.2021 for the offence under Sections 354/376/506/328 of the IPC, has been registered at Police Station Shakarpur, Delhi.

6. With the intervention of the family friends, well-wishers and senior citizens of the locality, both the parties have amicably settled all the disputes and differences *vide* Memorandum of Understanding (MOU) dated 10.7.2024 and it was *inter alia* settled between the parties that both the parties shall not pursue any further legal action against each other.

7. In view of the Memorandum of Understanding dated 10.7.2024, the present Petition has been filed.

8. The parties are present before this Court in-person today and have been identified by their counsel and Investigating Officer concerned. The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily.

9. The parties have submitted that all the disputes have been amicably



settled *vide* Memorandum of Understanding dated 10.7.2024 and thus, no fruitful purpose will be served in continuing with the FIR.

10. The present Petition has been signed by all the parties and is supported by their respective affidavits. The parties have reaffirmed the terms of the Settlement arrived at Memorandum of Understanding dated 10.7.2024 and they also submit that the said Memorandum of Understanding has been arrived at between the parties, without any pressure and coercion.

11. Today, the respondent No. 2/complainant, who is present in the Court, states that she has no objection if the FIR is quashed.

12. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, I am of the opinion that no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

13. Moreover, there is no legal impediment in quashing the FIR in question.

14. Accordingly, FIR No. 560/2021 dated 09.11.2021 for the offence under Sections 354/376/506/328 of the IPC, registered at Police Station Shakarpur, Delhi and all consequential proceedings emanating therefrom are quashed.

15. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 20, 2024/RS