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

+ **CRL.M.C. 147/2022**

MOHD ASHIF

..... Petitioner

Through: Mr.B.S. Chowdhary, Ms.Sneh
Lata Rana, Mr.Sagar,
Mr.Manish, Advs.

versus

STATE (NCT) OF DELHI & ANR. Respondents

Through: Mr.Satinder Singh Bawa, APP
with SI Neeti.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

19.02.2024

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1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No.371/2016 registered at Police Station: Jahangirpuri, North-West District, Delhi under Sections 354/354B/509 of the Indian Penal Code, 1860 (in short, 'IPC') along with all other proceedings arising therefrom, on the basis of a settlement.

2. The learned counsel for the petitioner submits that parties have amicably resolved their disputes and have duly executed a Deed of Settlement dated 07.09.2021.

3. The respondent no.2, who is personally present in Court and has been duly identified by the Investigating Officer (IO), does not oppose the present petition and reiterates that the dispute has been amicably settled out of her own free will and without any coercion, and reaffirms the abovementioned settlement and submits that she has no objection if



the present FIR is quashed.

4. I have perused the contents of the FIR and Deed of Settlement dated 07.09.2021 between the parties.

5. Keeping in view the fact that the respondent no.2 does not wish to pursue her complaint any further, as also the Settlement arrived at between the parties, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as the chances of its success will be rather minuscule and it would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

6. Guided by the principles enunciated by the Supreme Court in its judgments in *Gian Singh v. State of Punjab*, (2012) 10 SCC 303; *Parbatbhai Aahir @ Parbatbhai Bhimsinbhai Karmur & Ors. v. State of Gujarat & Ors.* (2017) 9 SCC 641 and *State of Haryana & Ors. v. Bhajan Lal & Ors.* 1992 Supp (1) SCC 335, this Court deems it appropriate, in the interest of justice, to exercise its inherent powers under Section 482 of the Cr.P.C. to quash the FIR and all the proceedings emanating therefrom.

7. Accordingly, the petition is allowed. Consequently, FIR No.371/2016 registered at Police Station: Jahangirpuri, North-West District, Delhi under Sections 354/354B/509 of the IPC and all consequential proceedings emanating therefrom against the petitioner are quashed, subject to the condition that the petitioner deposits costs of Rs.30,000/- with the Delhi State Legal Services Authority within a period of four weeks from today, and files proof of such deposit with the Registry of this Court and also supplies a copy thereof to the IO,



within the said period.

8. The costs so deposited shall be utilised by the Delhi State Legal Services Authority for providing support to the POCSO Victims requiring such assistance.

NAVIN CHAWLA, J

FEBRUARY 19, 2024/Arya/AS

Click here to check corrigendum, if any