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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 7783/2023**

NAVED

..... Petitioner

Through: Mr.Ajesh Kumar, Advocate with
petitioner in person

versus

THE STATE (NCT OF DELHI) AND ANR. Respondents

Through: Ms.Richa Dhawan, APP for State with
SI Yogesh Kumar

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

10.01.2024

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1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.42/2011 registered under Sections 380/381/457/411/34 IPC at P.S. Kotwali, Delhi on the ground that the parties have amicably settled their disputes.
2. On the last date of hearing, statement of respondent No.2/complainant, who was present in person, was recorded to the extent that he had no objection to the quashing of the present FIR. The matter was adjourned as the learned APP for the State had stated that the complainant had supported the case of the prosecution in his evidence and status report was directed to be filed.
3. As per the allegations levelled in the FIR, the present case was registered on the complaint of respondent No. 2/complainant. The present FIR relates to an incident occurred on 06.03.2011 at around 3:20 AM when respondent No.2 found the petitioner and another person namely Wasim



committing theft in respondent No.2's shop.

4. Learned APP for the State submits that in the present case, the petitioner is the only accused person and respondent No.2 is the only complainant/victim.

5. Learned counsels for the parties submit that the parties have entered into a settlement vide Memorandum of Understanding/Compromise Deed dated 13.10.2023 and in terms of the settlement, respondent No. 2 is now left with no claim whatsoever against the present petitioner.

6. The petitioner, who is present in the Court, has been identified by his counsel and the Investigating Officer.

7. Respondent No. 2 had stated that he had entered into the aforesaid Memorandum of Understanding/Compromise Deed out of his own free will, volition and without any coercion. He further stated that he had no objection if the present FIR and consequent proceedings are quashed.

8. Learned counsel for the petitioner submits that no other proceedings are pending between the parties.

9. The parties shall remain bound by the statements made in Court today.

10. Considering that the present petition is seeking quashing of the FIR on the basis of settlement, and affidavits signed by the parties specifically stated that they have no objection to the quashing of the FIR and in view of the above facts and since no useful purpose will be served in continuance of the present criminal proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed, subject to payment of costs of Rs.20,000/- by the petitioner to be deposited with the Delhi State Legal Services Authority within a period of two weeks from



today. The amount so deposited shall be utilized by the Delhi State Legal Services Authority for providing counselling/psychological support to POCSO victims requiring such assistance.

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

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

13. Let a copy of this order be communicated to the Member Secretary, Delhi State Legal Services Authority for information.

14. The Registry shall list the matter before this Court in case receipt of costs to be paid by the petitioner is not filed within the stipulated time period.

MANOJ KUMAR OHRI, J

JANUARY 10, 2024

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