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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 7872/2023**

GAURAV GAUTAM AND ORS

..... Petitioners

Through: Mr. Rakesh Sharma, Advocate with
petitioners in person.

versus

**STATE THROUGH SHO PS BINDAPUR AND
ANR**

..... Respondents

Through: Mr. Prateek Kumar Bahri, APP for
State W/SI Neelu, P.S Bindapur and
ASI Rajesh, D.E. Cell Barakhamba
Road.
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

08.01.2024

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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. 0568/2016 registered under Sections 354/323/448/34 IPC at Police Station Bindapur, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR, on 31.08.2016 when complainant was in her house alongwith her children, petitioner No.1 came at her house and asked about Deepak. When complainant told that Deepak is out of the house, petitioner No.1 caught her by neck. At the same time, sisters of petitioner No.1 also came there who started beating her. Thereafter, petitioners threw her belongings out of the house.
3. Mr. Bahri, learned APP for the State, on instructions, submits that the petitioners are the only accused persons and respondent No.2 is the only



complainant/victim in the present case. It is further submitted that the trial is at the stage of prosecution evidence.

4. Learned counsel for the petitioners submits that the petitioners and respondent No. 2 are known to each other 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 19.08.2023, 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 petitioners.

5. It is informed that a cross FIR No. 1343/2015 has also been registered under Sections 427/323/452/506/34 IPC at Police Station Bindapur against respondent No.2 on the complaint of petitioner No.1, which also been quashed vide today's order passed in CRL.M.C. 7419/2023.

6. The petitioners, who are present in Court, have been identified by their counsel as well as the I.O./W/SI Neelu, P.S Bindapur, Delhi who is present in the Court. Respondent No. 2 is also present in Court and has been identified by the I.O.

7. The petitioners have shown remorse for their conduct and undertake not to repeat the same in future. Respondent No. 2 also states that she has entered into the aforementioned MOU 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.

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

9. 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 cumulative cost of Rs.10,000/- to be deposited by the petitioners with the *Delhi Legal Services Authority* within a period of four weeks 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 I.O. as well as in Court.

11. A copy of this order be communicated to the Member Secretary, DLSA for intimation.

12. With the above directions, the petition is disposed of alongwith miscellaneous application.

MANOJ KUMAR OHRI, J

JANUARY 8, 2024

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