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

+ **CRL.M.C. 8097/2023**

SH VISHAL GOSAE AND ANR Petitioners

Through: Ms.Sana Malik, Advocate with
petitioners in person

versus

THE STATE AND ANR Respondents

Through: Mr. Laksh Khanna, APP for State with
SI Bhawna
Respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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06.02.2024

CRL.M.A. 30137/2023 (exemption)

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

CRL.M.C. 8097/2023

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.259/2017 registered under Sections 326/34 IPC at P.S. Gandhi Nagar, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR, on 18.07.2017 at around 9:30 PM, the petitioners beat respondent No.2.
3. Learned APP for the State submits that in the present case the petitioners are the only accused persons and respondent No. 2 is the only



complainant/victim.

4. Learned counsel for the petitioners states that the parties have entered into a settlement vide Memorandum of Understanding / Settlement dated 14.09.2022 and in terms of the settlement, respondent No.2 is now left with no claim whatsoever against the present petitioners.

5. The petitioners, who are present in the Court, have been identified by their counsel as well as by the Investigating Officer. Respondent No.2, who is also present in the Court, has also been identified by the Investigating Officer.

6. The petitioners have shown remorse for their conducts and they undertake not to repeat the same in future. Respondent No.2 states that she has entered into the aforesaid Memorandum of Understanding / Settlement 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 counsels for the parties submit that another connected FIR being FIR No. 91/2017 registered under Sections 354/354/452/323/506/34 IPC at P.S. Gandhi Nagar has also been quashed today vide CRL.M.C.7980/2023.

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 present criminal 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 State Legal Services Authority



within a period of four 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.

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 communicated to the Member Secretary, Delhi State Legal Services Authority for information.

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

MANOJ KUMAR OHRI, J

FEBRUARY 6, 2024

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