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

+ **CRL.M.C. 5849/2024**

TEJBIR SINGH

.....Petitioner

Through: Mr. Manoj Kumar Sharma and Mr.
Apoorv Gupta, Advocates.

versus

THE STATE NCT OF DELHI AND ANR.Respondents

Through: Mr. Shoaib Haider, APP for the State.
Mr. Umod Pal, Mr. Anuj Jain, Mr.
Raman Deep Dutta, Mr. Ankit Singh,
Mr. Virender Singh Negi, Advocates
with Respondent in-person.
Mr. Vinod Pal (D/1800/2012),
Advocate.
SI Avaneesh Kumar, PS Krishna
Nagar.
Ms. Shweta Rani, Advocate.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **31.07.2024**

CRL.M.A. 22362/2024 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 5849/2024

1. The Petitioner has approached this Court seeking quashing of FIR No.499/2016 dated 07.10.2016 registered at Police Station Krishna Nagar for offences under Sections 323, 341, 354 & 34 IPC on the ground that the parties have entered into an amicable settlement.



2. A perusal of the FIR shows that the allegations against the Petitioner are quite serious in nature. The Petitioner has entered into a settlement agreement with the Complainant on 31.10.2023 before Delhi Mediation Centre, Karkardooma Courts, after the Complainant has been examined. It is stated that the Petitioner and the Complainant are neighbours. A copy of Settlement Deed dated 31.10.2023 has been annexed with the instant petition as Annexure-3. As per the settlement, the parties have decided to live peacefully in society and have agreed to settle all their disputes amicably. It is stated that Respondent No.2/Complainant does not have any objection to quashing of the FIR and all the proceedings emanating therefrom in terms of the aforesaid settlement.

3. Today, the Petitioner and the Complainant are present in Court. The parties have been identified by their respective Counsels and the Investigating Officer. The Complainant states that she has settled all her disputes with the Petitioner out of her own free will, without pressure, coercion or undue influence and does not want to pursue the present case any further. She requests that the present FIR and the proceedings emanating therefrom may be quashed. The parties undertake that they will remain bound by the terms of the settlement arrived at between them and the proceedings recorded before this Court.

4. Even though the Petitioner has approached this Court very late and the chances of conviction of the Petitioner cannot be ruled out at this juncture but considering the fact that the Parties live in the same locality and to avoid future acrimony between the parties and also in view of the fact that the Prosecutrix has decided to forgive the Petitioner, this Court is incline to exercise its jurisdiction under Section 482 Cr.P.C to quash the present FIR.



Resultantly, FIR No.499/2016 dated 07.10.2016 registered at Police Station Krishna Nagar for offences under Sections 323, 341, 354 & 34 IPC and the proceedings emanating therefrom are hereby quashed. The parties shall remain bound by the terms of the settlement and the undertaking given to the Court.

5. A reading of the FIR shows that the Petitioner has outraged the modesty of the Complainant herein. The Petitioner cannot be let off only because the Respondent No.2/Complainant, has decided to enter into a settlement with the Petitioner. The Petitioner has to atone for their sins and must realize that he cannot take the Courts for granted and that the offence committed by him for outraging the modesty of a women can be compromised and that he will be let off. This Court is, therefore, inclined to impose costs of Rs.10,000/- on the Petitioner so that the Petitioner does not repeat such kind of offences in future. Accordingly, the Petitioner is directed to deposit a sum of Rs.10,000/- with the *Armed Forces Battle Casualties Welfare Fund* within four weeks from today. A copy of the receipt be given to the Investigating Officer and also be filed with the Registry of this Court to show compliance of the order within four weeks thereafter.

6. This Court also feels that the Petitioner must also do some community service. Accordingly, the Petitioner is directed to do community service at Safdarjung Hospital for a period of one month, i.e., from 01.09.2024 to 30.09.2024. The Petitioner shall perform such duties as assigned to him at Safdarjung Hospital from 09:00AM everyday for a period of one month and shall obtain a certificate from the Medical Superintendent, Safdarjung Hospital, after the completion of one month and he shall file the same before this Court to show compliance of the order of this Court. In case of any



absenteeism/default or any misbehaviour on the part of the Petitioner, the same shall be conveyed immediately to the concerned SHO/IO, who shall in turn inform the learned APP for the State, for bringing the same to the notice of the Court and for seeking recall of the orders passed today.

7. The Petitioner is also directed to plant 25 trees each in his locality and nurture them. The Investigating Officer is directed to ensure that the trees are planted by the Petitioner and a Compliance Report regarding the same shall also be filed before this Court.

8. Petitioner is warned not to indulge in such offences in future. It is made clear that if the Petitioner repeats such incident in future, the Courts will not take a lenient view and will punish the Petitioner accordingly.

9. With the above directions, the petition is disposed of along with all the pending application(s), if any.

SUBRAMONIUM PRASAD, J

JULY 31, 2024

Rahul