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

+ **CRL.M.C. 5881/2024 & CRL.M.A. 22496/2024**

SH MANISH BAGRI & ANR.

.....Petitioners

Through: Mr. Abhishek Shrivastav, Advocate.

versus

STATE OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State.
SI Reena (D-6575), PS Prashant
Vihar, Rohini

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

16.08.2024

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1. The Petitioner has approached this Court seeking quashing of FIR No.1163/2015 dated 20.09.2015 registered at Police Station Prashant Vihar for offences under Sections 354A/509/427/34 IPC on the ground that the parties have entered into an amicable settlement.
2. The present Petition has been filed on the ground that the Petitioners have entered into a settlement agreement with the Complainant on 11.05.2024. A copy of Settlement Deed dated 11.05.2024 has been annexed with the instant petition as Annexure-P3. 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 Petitioners are present in Court and the Complainant has joined the proceedings through video conferencing. 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. Considering the fact that the Parties have entered into a settlement and to avoid future acrimony between the parties and also in view of the fact that the Complainant has decided to forgive the Petitioners and also in view of the fact that the present case is squarely covered by the law laid down by the Supreme Court in Gian Singh v. State of Punjab, (2012) 10 SCC 303, this Court is of the opinion that no useful purpose will be served in continuing with the present proceedings. Resultantly, FIR No.1163/2015 dated 20.09.2015 registered at Police Station Prashant Vihar for offences under Sections 354A/509/427/34 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 Petitioners cannot be let off only because the Respondent No.2/Complainant, has decided to enter into a settlement with the Petitioners. The Petitioners have to atone for their sins and must realize that they 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 each of the Petitioners so that the Petitioners do not repeat such kind of offences in future. Accordingly, the Petitioners are directed to deposit a sum of Rs.10,000/- each 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. Petitioners are warned not to indulge in such offences in future. It is made clear that if the Petitioners repeat such incident in future, the Courts will not take a lenient view and will punish the Petitioner accordingly.

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

SUBRAMONIUM PRASAD, J

AUGUST 16, 2024

Rahul