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

+ **CRL.M.C. 5951/2024**

DEV MADAAN

.....Petitioner

Through: Mr. Hiamnshu Sharma & Ms. Arti
Sharma, Advocates along with
petitioner

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Pradeep Gahlot, APP for the
State with SI Sukhchain, PS Nihal
Vihar
Mr. Amit Sharma & Ms. Priyanka
Sharma, Advocates for R-2 with R-2
in person

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **02.08.2024**

CRL.M.A. 22758/2024 (Exemption)

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

CRL.M.C. 5951/2024

1. This petition is filed seeking quashing of FIR No.155/2024 PS Nihal Vihar under sections 376(2)(n) IPC and Section 6 POCSO.
2. Earlier a petition was filed for quashing being Crl. M.C. 2821/2024 which was withdrawn with liberty to take appropriate legal steps, which was granted by the Court by order dated 8th July 2024. Subsequently, the complainant has given her 'No Objection' to quashing of the FIR basis MOU dated 12th July 2024, where she has settled all her disputes and differences



with the petitioner.

3. Petitioner and respondent no.2/ complainant are present in the Court and are duly identified by the IO and their respective counsels.

4. Respondent no.2/ complainant states that she is now 21 years of age and that her complaint about issues which she had with petitioner emanated out of consensual relationship, while both she and petitioner were of young age in 2016. Now both of them want to pursue their studies further and do not wish to prolong this litigation and their *inter se* disputes and differences have since been resolved.

5. In this view of the matter, petition for quashing of the aforementioned FIR on the basis of settlement is accepted.

6. Considering the above settlement between the parties and the chances of conviction of the petitioner being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Accordingly, the petition is allowed. Consequently, the FIR No.155/2024 PS Nihal Vihar under sections 376(2)(n) IPC and Section 6 POCSO and proceedings emanating therefrom are quashed.

7. Parties shall abide by the terms of settlement.

8. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.

9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

AUGUST 2, 2024/sm