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

+ **CRL.M.C. 6632/2022**

SATYAM KUMAR AND ORS

..... Petitioners

Through: Mr.Azad Ali, Adv.

versus

THE STATE GOVT OF NCT OF DELHI AND ANR

..... Respondents

Through: Ms.Priyanka Dalal, APP
Mr.Azhar Alam, Adv. for R-2
along with R-2 in person

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

23.01.2024

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1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of the FIR No.0416/2019 registered with Police Station: Sarita Vihar, South-East District, under Sections 419/420/120B/34 of the Indian Penal Code, 1860 (in short, 'IPC') and Sections 66C/66D of the Information Technology Act, 2000 (in short, 'IT Act').

2. The learned counsel for the petitioners submits that the parties, that is, the petitioners and the Respondent no.2, have amicably resolved their *inter se* disputes and have entered into a settlement vide Memorandum of Understanding dated 20.08.2022.

3. The respondent no.2 is present in person and has been duly identified by the Investigating Officer (IO). The respondent no.2



affirms that he has settled all the disputes with the petitioners of his own free will and without any coercion. The respondent no.2 submits that he has no objection if the present FIR is quashed.

4. In view of the above, and considering the Settlement entered into between the parties, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR, and it will only be an unnecessary burden on the State exchequer. I am also guided by the principles enunciated by the Supreme Court in its judgments in ***Gian Singh v. State of Punjab***, (2012) 10 SCC 303; ***Parbatbhai Aahir @ Parbatbhai Bimsinh Karmur & Ors. v. State of Gujarat & Ors.*** and (2017) 9 SCC 641 and ***State of Haryana & Ors. v. Bhajan Lal & Ors.*** 1992 Supp (1) SCC 3. This Court, therefore, deems it appropriate, in the interest of justice, to exercise its inherent powers under Section 482 of the Cr.P.C. to quash the FIR and all the proceedings emanating therefrom.

5. Accordingly, the petition is allowed. FIR No.0416/2019 registered with Police Station: Sarita Vihar, South-East District, under Sections 419/420/120B/34 of the IPC and Sections 66C/66D of the IT Act, and all consequential proceedings emanating therefrom against the petitioners are quashed, subject to the condition that the petitioners deposit costs of Rs.15,000/- with Delhi State Legal Services Authority within a period of two weeks from today. The costs so deposited shall be utilised by the Delhi State Legal Services Authority for providing counselling/psychological support to the POCSO Victims requiring such assistance.

6. The petitioners shall file proof of deposit of the above costs



with the Registry of this Court and also supply a copy thereof to the concerned IO, within the abovesaid period.

7. The petition is disposed of in the above terms.

NAVIN CHAWLA, J

JANUARY 23, 2024/ns/ss

Click here to check corrigendum, if any