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

+ **W.P.(CRL) 3443/2023**

VINEET AND ORS

.....Petitioners

Through: Mr. Mayank Arora, Mr. Jai Allagh,
Mr. Maanish Nishan Choudhary &
Mohd. Sabir, Advocates with
petitioners in person.

versus

STATE (NCT OF DELHI) AND ANR.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel,
Crl. for State.
Respondent No. 2 in person.
W/S.I. Soni Lal, PS Nabi Karim,
Delhi.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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23.07.2024

1. The present Petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as "Cr.P.C., 1973"*) has been filed on behalf of the petitioners seeking to quash the FIR No. 577/2023 registered under Sections 376D/506 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*) and Section 6 POCSO Act at Police Station Nabi Karim, Delhi.
2. Brief facts of the case are that the petitioner No. 1 and prosecutrix met each other through common friends and through cousin of the prosecutrix. Thereafter, the petitioner No. 1 and the prosecutrix started talking to each other and also started dating.



3. The petitioner Nos. 2 and 3, cousin of petitioner No. 1, were introduced to the prosecutrix by petitioner No. 1 himself. Thereafter, they all became good friends and used to meet frequently.

4. It is submitted that the petitioner No. 1 and the prosecutrix were romantically involved and used to go to meet each other in certain hotels.

5. Suddenly, one day, the prosecutrix told the petitioner No. 1 that she was pregnant with his child and she asked him to marry her. Since, the petitioner No. 1 was not in a position to marry with prosecutrix, certain misunderstandings arose between the petitioners and the prosecutrix which led to arising of disputes and misunderstandings between the family members of the petitioners and the prosecutrix. Owing to the disputes and misunderstandings, the prosecutrix got misled into registering an FIR No. 577/2023 under Sections 376D/506 at Police Station Nabi Karim, Delhi and also Section 6 of POCSO Act was also subsequently added by the Investigating Officer on the basis of statement of prosecutrix recorded under Section 164 of Cr.P.C., 1973.

6. Due to the apprehension of arrest, the petitioners approached this Court for grant of Anticipatory bail and *vide* Order dated 10.11.2023, the Anticipatory Bail of the petitioners was allowed on the basis of statements made by the prosecutrix that she is 19 years of age as of today and the present FIR was filed on account of a misunderstanding.

7. It is submitted that better sense prevailed upon the parties, and they have amicably settled all the disputes and differences between them *vide* Settlement Deed dated 17.11.2023 which *inter alia* states that: -

- (i) That the petitioners shall file a petition for quashing of FIR No. 577/2023 and the prosecutrix shall have no objection to the filing of



the said petition and she shall make a statement to this effect before this Court,

(ii) That after quashing of FIR No. 577/2023, all the parties shall not file any type of case of any nature whether civil or criminal before any court of law/authority/police station pertaining to the said FIR in future,

(iii) That in case either party has filed any complaint against one another before any court of law or police station which is not in the knowledge of the other party, the same shall be deemed to have been compromised and withdrawn in terms of this compromise-cum-settlement deed and shall not have any legal effect.

8. It is also stated that the petitioner No. 1 has undertaken to marry the prosecutrix.

9. In view of the Settlement Deed dated 17.11.2023, the present petition has been filed.

10. The petitioners and the prosecutrix are present before this Court in-person today, and they have been identified by their counsel and Investigating Officer concerned.

11. The parties have submitted that all the disputes have been amicably settled *vide* Settlement Deed dated 17.11.2023 and thus, no fruitful purpose will be served in continuing with the FIR.

12. The present petition has been signed by the petitioners and is supported by their respective affidavits. The parties have reaffirmed the terms of the settlement and they also submit that the said settlement has been arrived at between the parties without any pressure and coercion.

13. Today, the prosecutrix, who is present in Court, states that she has no



objection if the FIR is quashed.

14. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

15. Moreover, there is no legal impediment in quashing the FIR in question.

16. Accordingly, FIR bearing No. 577/2023 registered at Police Station Nabi Karim, Delhi, for offences punishable under Sections 376D/506 of IPC, 1860 and Section 6 of POCSO Act and all consequential proceedings emanating therefrom are quashed.

17. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 23, 2024

S.Sharma