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

+ **CRL.M.C. 6092/2024 & CRL. MA 23335/2024**

SANJAY JAIN

.....Petitioner

Through: Mr. Hemant Shah, Mr. Saurabh Pal,
Mr. Akshay Rana, Mr. Vishal Mann,
Mr. Sachin Balhara and Mr. Prashant
Kumar Vashistha, Advocates with
petitioner in person.

versus

STATE OF NCT OF DELHI & ANR

.....Respondents

Through: Mr. Aashneet Singh, APP for State
with Mr. Sahil Arora, Mr. Vishwajeet
Singh, Ms. Ritu Kapoor Arora, Mr.
Vijay Pratap Singh, Ms. Priyanka
Mishra, Advocates with ASI Bir
Singh PS Ghitorni Metro, Delhi.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

07.08.2024

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1. The present proceedings are instituted on behalf of the petitioner who is seeking quashing of FIR No. 21/2022 registered under Section 354(A) IPC at P.S. Metro Police Station Ghitorni, Delhi, on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR, the petitioner inappropriately touched the complainant while travelling in the Metro, causing her mental distress.
3. Mr. Aashneet Singh, learned APP for the State, on instructions, submits that the petitioner is the only accused and respondent No.2 is the complainant/victim in the present case. It is further submitted that the



charge-sheet has been filed. Learned APP further states that considering the serious nature of the averments/allegations and that the incident has taken place at a public place, the petitioner may be saddled with heavy costs.

4. Learned counsel for the petitioner submits that the present FIR was registered due to misunderstanding and that with the intervention of family members and friends, the parties have amicably settled their disputes vide Memorandum of Understanding dated 28.07.2024, a copy of which has been placed on record. In terms of the said settlement, the complainant is now left with no claim or grievance against the petitioner.

5. The petitioner, who is present in Court, has been identified by his counsel as well as the I.O./ ASI Bir Singh PS Ghitorni Metro, Delhi. Respondent No. 2 is also present in Court and has been identified by the I.O.

6. The petitioner has shown remorse for his conduct and undertakes not to repeat the same in future. Respondent No. 2 states that she has entered into the aforementioned MOU out of her own free will, volition and without any coercion. She further states that she has no objection if the present FIR and consequent proceedings are quashed.

7. The parties shall remain bound by the statements made in Court today.

8. In view of the above facts and considering that no useful purpose will be served in continuance of the proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed, subject to payment of cost of Rs.1,50,000/- out of which Rs.1 lac to be paid to the respondent No.2 by demand draft through the concerned I.O. and Rs.50,000/- to be deposited with the Delhi State Legal Services Authority (Account No.18580110053263, UCO Bank, Branch Rouse Avenue, IFSC:



UCBA0003364) within a period of two weeks from today. The amount so deposited shall be utilized by the Delhi State Legal Services Authority for providing counselling/psychological support to POCSO victims requiring such assistance.

9. Proof evidencing receipt of deposit shall be filed with the I.O.

10. A copy of this order be communicated to the Member Secretary, Delhi State Legal Services Authority for intimation.

11. With the above directions, the petition is disposed of alongwith miscellaneous application.

12. In case the proof of cost is not filed within two weeks, the I.O. shall be at liberty to move an appropriate application in this regard.

MANOJ KUMAR OHRI, J

AUGUST 7, 2024/rd