



\$~75

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 7009/2022
AZAD AND ORS.

..... Petitioners

Through: Mr.Saud Ahmad, Adv. along
with petitioners present in
person.

versus

STATE & ANR.

..... Respondents

Through: Mr.Aman Usman, APP.
SI Sachin, PS Seemapuri.
Respondent no.2 present in
person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

21.03.2024

%

1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No. 0649/2017 registered at Police Station: Seemapuri, Delhi under Sections 323/354B/34 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.

2. The learned counsel for the petitioners submits that the disputes between the parties took place due to some petty issues. He submits that the parties have amicably settled their *inter se* disputes and have entered into a settlement vide Compromise Deed dated 28.11.2022.

3. The respondent no.2 is personally present in Court and has been duly identified by the Investigating Officer (IO) and she reaffirms the settlement and states that she has settled all the disputes with the



petitioners out of her own free will and without any coercion. The respondent no.2 submits that she has no objection if the present FIR is quashed.

4. I have perused the contents of the FIR and also the settlement between the parties.

5. Keeping in view the fact that the respondent no.2 does not wish to pursue her complaint any further, as also the Settlement arrived at between the parties, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as it would create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

6. 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 Bhimsinbhai Karmur & Ors. v. State of Gujarat & Ors.* (2017) 9 SCC 641; and, *State of Haryana & Ors. v. Bhajan Lal & Ors.* 1992 Supp (1) SCC 335, this Court 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.

7. Accordingly, the petition is allowed. FIR No.0649/2017 registered at Police Station: Seemapuri under Sections 323/354B/34 of IPC and all consequential proceedings emanating therefrom against the petitioners are quashed, subject to the condition that the petitioners shall deposit costs of Rs.10,000/- each with the Delhi State Legal Services Authority within a period of four weeks from today, and file proof of such deposit with the Registry of this Court and also supply a



copy thereof to the IO, within the said period.

8. 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.

NAVIN CHAWLA, J

MARCH 21, 2024/Arya/RP

Click here to check corrigendum, if any