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

+ **CRL.M.C. 9003/2023**

SHEKHAR & ANR.

..... Petitioners

Through: Mr. Ashwani Kumar, Advocate with
petitioners in person

versus

STATE THROUGH SHO PS CHHAWLA AND ANR

..... Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with SI Dharmveer
Respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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05.02.2024

CRL.M.A. 33671/2023 (exemption)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

CRL.M.C. 9003/2023

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.338/2018 registered under Sections 323/354/354B/509/34 IPC at P.S. Chhawala, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR, on 14.06.2018 at around 8 PM, the petitioners entered into respondent No.2's house and abused and



beat her.

3. Learned APP for the State submits that in the present case the petitioners are the only accused persons and respondent No.2 is the only complainant/victim.

4. Learned counsel for the petitioner submits that the parties have entered into a settlement vide Memorandum of Understanding / Agreement dated 25.04.2023 and in terms of the settlement, respondent No.2 is now left with no claim whatsoever against the petitioners.

5. The petitioners, who are present in the Court, have been identified by their counsel and the Investigating Officer. Respondent No.2, who is also present in the Court, is also identified by the Investigating Officer.

6. The petitioners have shown remorse for their conducts and they undertake not to repeat the same in future. Respondent No.2 states that she has entered into the aforesaid Memorandum of Understanding / Agreement 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. Learned counsels for the parties submit that no other proceedings are pending between the parties.

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

9. In view of the above facts and since no useful purpose will be served in continuance of the present criminal proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed, subject to payment of cost of Rs.15,000/- by each petitioner out of which Rs.10,000/- shall be paid by each petitioner to respondent No.2 by



way of a Demand Draft through Investigating Officer and remaining Rs.5,000/- shall be deposited by each petitioner with the Delhi State Legal Services Authority within a period of four 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.

10. Proof evidencing receipt of deposit shall be filed with the Investigating Officer as well as in Court.

11. With the above directions, the petition is disposed of.

12. Let a copy of this order be communicated to the Member Secretary, Delhi State Legal Services Authority for information.

13. The Registry shall list the matter before this Court in case receipt of costs to be paid by the petitioners is not filed within the stipulated time period.

MANOJ KUMAR OHRI, J

FEBRUARY 5, 2024

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