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

+ **CRL.M.C. 6438/2024**

ANKIT GHUSAI

.....Petitioner

Through: Mr. Ajeet Singh, Mr. Shripal
Upadhyay Ms. Nisha Devi, Mr.
Rajeev Kumar, Advocates.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Shoaib Haider, APP for the State.
SI Sandeep Kumar (D-6300), PS
Ambedkar Nagar

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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20.08.2024

CRL.M.A. 24615/2024 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 6438/2024

1. The Petitioner has approached this Court seeking quashing of FIR No.275/2016 dated 03.05.2016 registered at Police Station Ambedkar Nagar for offences under Sections 354(D) IPC on the ground that the parties have entered into an amicable settlement.
2. A perusal of the FIR shows that the allegations against the Petitioner are quite serious in nature. The Petitioner has entered into a settlement agreement with the Complainant on 07.06.2023. A copy of Settlement Deed dated 07.06.2023 has been annexed with the instant petition as Annexure-3. As per the settlement, the parties have decided to live peacefully in society and have agreed to settle all their disputes amicably. It is stated that



Respondent No.2/Complainant does not have any objection to quashing of the FIR and all the proceedings emanating therefrom in terms of the aforesaid settlement.

3. Today, the Petitioner is present in Court and the complainant has joined the proceeding through video conferencing. The parties have been identified by their respective Counsels and the Investigating Officer. The Complainant states that she has settled all her disputes with the Petitioner out of her own free will, without pressure, coercion or undue influence and does not want to pursue the present case any further. She requests that the present FIR and the proceedings emanating therefrom may be quashed. The parties undertake that they will remain bound by the terms of the settlement arrived at between them and the proceedings recorded before this Court.

4. Though the offence alleged against the Petitioner is serious in nature but considering the fact that the Parties have entered into a settlement, in order to avoid acrimony between the parties and also in view of the fact that the Prosecutrix has decided to forgive the Petitioner, this Court is inclined to quash the present FIR. Resultantly, FIR No.275/2016 dated 03.05.2016 registered at Police Station Ambedkar Nagar for offences under Sections 354(D) IPC and the proceedings emanating therefrom are hereby quashed. The parties shall remain bound by the terms of the settlement and the undertaking given to the Court.

5. However, the Petitioner cannot be let off only because the Respondent No.2/Complainant, has decided to enter into a settlement with the Petitioner. The Petitioner has to atone for his sins and must realize that he cannot take the Courts for granted and that the offence committed by him can be compromised and that he will be let off. This Court, therefore, feels that the



Petitioner must do some community service to atone for his sins. Accordingly, the Petitioner is directed to do community service at Safdarjung Hospital for a period of two months, i.e., from 01.09.2024 to 30.11.2024. The Petitioner shall perform such duties as assigned to him at Safdarjung Hospital from 06:00 AM to 09:00 AM and from 08:00 PM to 10:00 PM everyday for a period of two months and shall obtain a certificate from the Medical Superintendent, Safdarjung Hospital, after the completion of two months and he shall file the same before this Court to show compliance of the order of this Court. In case of any absenteeism/default or any misbehaviour on the part of the Petitioner, the same shall be conveyed immediately to the concerned SHO/IO, who shall in turn inform the learned APP for the State, for bringing the same to the notice of the Court and for seeking recall of the orders passed today.

6. The Petitioner is also directed to plant 20 trees in his locality and nurture them. The Investigating Officer is directed to ensure that the trees are planted by the Petitioner and a Compliance Report regarding the same shall also be filed before this Court with six weeks from today.

7. Petitioner is warned not to indulge in such offences in future. It is made clear that if the Petitioner repeats such incident in future, the Courts will not take a lenient view and will punish the Petitioner accordingly.

8. With the above directions, the petition is disposed of along with all the pending application(s), if any.

SUBRAMONIUM PRASAD, J

AUGUST 20, 2024

Rahul