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

+ CRL.M.C. 6686/2024 & CRL.M.A. 25531/2024,

RAI YUVRAJ BAINS

.....Petitioner

Through: Petitioner *via* video-conferencing. Mr. Kunal Sharma, Mr. Shubhendhu Bhattacharyya, Mr. Ankit Choudhary, Mrs. Yukti Aggarwal, Advocates.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Utkarsh, APP for the State. Respondent No.2 *via* video-conferencing. Inspector Praveen Kumar, P.S.: Moti Nagar.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

28.08.2024

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CRL.M.A. 25532/2024 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed-of.

CRL.M.C. 6686/2024

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks quashing of case FIR No. 431/2014 dated 18.05.2014 registered under section 354-D of the Indian Penal Code, 1860 ('IPC') and section 66-A of the Information and Technology Act, 2000 ('IT Act') at P.S.: Moti Nagar, New Delhi ('subject FIR').



2. Pursuant to the investigation conducted in the matter, *vide* chargesheet dated 06.09.2016 the petitioner has been charged with section 354-D IPC; and section 66-A of the IT Act has been deleted in view of the decision of the Supreme Court in *Shreya Singhal vs. Union of India*.¹
3. The petition is premised on Memorandum of Understanding dated 20.04.2024 ('MoU'), whereby the petitioner and respondent No. 2 have resolved the matter amicably.
4. The petition is also supported by affidavits of the petitioner and of respondent No. 2, alongwith proofs of their I.D.s.
5. The petitioner is based in Ludhiana, Punjab and respondent No.2 is based in Mumbai, Maharashtra. The contesting parties have both joined *via* video-conferencing. Their credentials have been verified and they have also been identified by the Investigating Officer ('I.O.').
6. The court has interacted with the contesting parties, who confirm that they have now resolved the matter and the MoU has been signed by them closing all issues amicably. Parties now wish to live in peace and harmony going forward.
7. Mr. Utkarsh, learned APP confirms that the State has no objection to the subject FIR being quashed.
8. In the circumstances, in line with the law laid down by the Supreme Court in *Gian Singh vs. State of Punjab & Anr.* reported as (2012) 10 SCC 303 as also in *Narinder Singh & Ors. vs. State of Punjab & Anr.* reported as (2014) 6 SCC 466, this court sees no reason why the

¹ (2015) 5 SCC 1



subject FIR and all proceedings emanating therefrom should not be quashed. This court is of the view that in light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be an exercise in futility and would not be conducive to peace and harmony between the parties.

9. While allowing the petition however, this court considers it appropriate, that by way of atonement, the petitioner shall pay costs of Rs.25,000/- to Friendicoes SECA, No.271 & 273, Defence Colony Flyover Market, Jungpura, New Delhi within 04 weeks.
10. Petitioner is directed to place on record the proof of payment of costs, within 02 weeks thereafter.
11. Subject to the aforesaid condition, case FIR No. 431/2014 dated 18.05.2014 registered under section 354-D IPC and section 66-A IT Act at P.S.: Moti Nagar, New Delhi is quashed. All proceedings arising therefrom also stand closed.
12. The Registry is directed to re-list the matter if costs are not paid as directed above.
13. The petition stands disposed-of.
14. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

AUGUST 28, 2024

V.Rawat