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

+ CRL.M.C. 9393/2023

NADEEM KHAN

..... Petitioner

Through: Mr. Kamran Malik and Mr. Javed
Hasan, Advocates alongwith
petitioner in person.

versus

GOVERNMENT OF N.C.T OF DELHI & ANR. Respondents

Through: Mr. Laksh Khanna, APP for the State
with IO/SI Jaivind, P.S. Jamia Nagar,
Delhi.
Complainant/R-2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

16.02.2024

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1. The present proceedings are instituted under Section 482 Cr.P.C. seeking quashing of FIR No. 448/2021 registered under Sections 288/388 IPC at Police Station Jamia Nagar, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR, on 04.10.2021 at around 11:30 AM, when respondent No.2 was going towards his shop, a brick fell on his head due to construction work.
3. Mr. Laksh Khanna, learned APP for the State, on instructions, submits that the petitioner is the only accused and respondent No.2 is the only complainant/victim in the present case.
4. Learned counsel for the petitioner submits that the parties have amicably settled their disputes vide Memo of Understanding dated



01.11.2023. In terms of the said settlement, respondent No.2 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./SI Jaivind, P.S. Jamia Nagar, Delhi. Respondent No. 2, who is also present in Court, has been identified by the I.O.

6. The petitioner has shown remorse for the incident and undertake that the same would not happen again . Respondent No. 2 also states that he has entered into the aforementioned Memorandum of Understanding out of his own free will, volition and without any coercion. He further states that he has no objection, if the present FIR and consequent proceedings are quashed.

7. Learned counsel for the petitioners further states 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 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.10,000/- to be deposited by the 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 I.O. as well as in Court.

11. A copy of this order be communicated to the Member Secretary,



DLSA for intimation.

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

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 16, 2024/kct