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

+ **CRL.M.C. 6826/2024**

**SAHIL GUPTA**

.....Petitioner

Through: Mr. Siddharth Mittal (P-1292/2009),  
Advocate.

versus

**STATE NCT OF DELHI AND ORS.**

.....Respondents

Through: Mr. Aman Usman, APP for the State  
with Mr. Kartikey Nayyar, Mr.  
Harakeerat, Mr. Ketan Yadav, Mr.  
Nitin Bharadwaj, Mr. Prashant  
Sharma, Mr. Ayush Srivastava, Mr.  
Sandeep Rexval, Advocates.  
SI Nitesh Singh, PS Mukherjee Nagar

**CORAM:**

**HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

**ORDER**

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**30.08.2024**

**CRL.M.A. 26109/2024 (Exemption)**

Allowed, subject to all just exceptions.

**CRL.M.C. 6826/2024 & CRL.M.A. 26108/2024**

1. The Petitioner has approached this Court seeking quashing of FIR No.978/2023, dated 16.11.2023, registered at Police Station Mukherjee Nagar for offences under Sections 370 IPC and Section 75 of Juvenile Justice (Care and Protection of Children) Act 2015, on the ground that the parties have entered into an amicable settlement.
2. A perusal of the FIR shows that the Petitioner herein had employed Respondent No.3, who is a minor, to take care of his two years old child. The



FIR was registered on the complaint of the father of Respondent No.3. The Petitioner has entered into a settlement agreement with the Complainant on 28.08.2024. A copy of Settlement Deed dated 28.08.2024 has been annexed with the instant petition as Annexure -P4. As per the settlement, the parties 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 and the Respondent No.2 are present in Court and the Respondent No.3 has joined the proceedings through Video Conferencing. The parties have been identified by their respective Counsels and the Investigating Officer. The Complainant states that he has settled all the disputes with the Petitioner out of his own free will, without pressure, coercion or undue influence and does not want to pursue the present case any further. He 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. In view of the fact that the Parties have settled the disputes and to avoid future acrimony between the parties, this Court is inclined to quash the present FIR. Resultantly, FIR No.978/2023, dated 16.11.2023, registered at Police Station Mukherjee Nagar for offences under Sections 370 IPC and Section 75 of Juvenile Justice (Care and Protection of Children) Act 2015 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. A reading of the FIR shows that the Petitioner had employed Respondent No.3, who is a minor. 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 their sins and must realize that he cannot take the Courts for granted. This Court is, therefore, inclined to impose costs of Rs.15,000/- on the Petitioner so that the Petitioner does not repeat such kind of offences in future. Accordingly, the Petitioner is directed to deposit a sum of Rs.15,000/- with the *Armed Forces Battle Casualties Welfare Fund* within four weeks from today. A copy of the receipt be given to the Investigating Officer and also be filed with the Registry of this Court to show compliance of the order within four weeks thereafter.

6. 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.

7. The name of the child victim has not been masked in the present Petition as per the law laid down by the Apex Court in Nipun Saxena v. Union of India, (2019) 2 SCC 703. Learned Counsel for the Petitioner is directed to be careful in future.

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

**SUBRAMONIUM PRASAD, J**

**AUGUST 30, 2024**

*Rahul*