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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6837/2024**

SHIV KUMAR SHARMA

.....Petitioner

Through: Mr. J. C. Vashisha, Advocate with
petitioner.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Hitesh Vali, APP for State with SI
Sanjeev Lehri, PS: Burari.
Ms. Anu Meena, Complainant through
VC.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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30.08.2024

CRL.M.A. 26131/2024 (Exemptions)

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

CRL.M.C. 6837/2024

1. This petition has been filed seeking quashing of FIR no.186/2017 registered at PS Burari, Delhi under Section 354/354A IPC on the basis of settlement arrived at between the parties dated 23rd May, 2024, which is on record of this Court.
2. Petitioner is present in Court and is duly identified by the IO and the counsel.
3. Respondent no.2 appears through VC and states that she has no



objection to the quashing of the FIR.

4. APP for State has raised an objection to the quashing of the FIR on the basis of settlement, considering the allegations which were recorded in the FIR and the matter has now proceeded for trial.

5. Respondent no.2, however, states that she does not wish to proceed any further and wants to put the matter to rest.

6. In these circumstances, looking at the allegations in FIR, the FIR is quashed subject to petitioner to deposit a cost of Rs. 10,000/- before the Delhi Police Welfare Fund within a period of two weeks. Affidavit of compliance to be filed within two weeks thereafter.

7. In addition, petitioner shall perform community service and organize meal (*bhandara*) for poor children at Shiv Mandir, Sant Nagar Burari, once in September and once in October, 2024.

8. Affidavit of compliance with photographs and the endorsement of the head priest of temple shall be filed.

9. Considering the above settlement between the parties and the chances of conviction of the petitioners being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Accordingly, the petition is allowed. Consequently, the FIR No. 186/2017 under Sections 354/354A IPC registered at PS Burari, Delhi and proceedings emanating therefrom are quashed.

10. Parties shall abide by the terms of settlement.

11. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.



12. Order be uploaded on the website of this Court.

ANISH DAYAL, J

AUGUST 30, 2024/RK

Click here to check corrigendum, if any