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

+ **CRL.M.C. 6856/2024**

TARUN YADAV

.....Petitioner

Through: Mr. Dheeraj Raghav (D/10645/2021),
Ms. Geetika Antil, Advocates with
Petitioner-in-person

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State.
Mr. Khushal Antil (D/5759/2018),
Advocate for Respondent No.2 with
Respondent No.2 in person.
SI Parmendra Kumar (D-3900), PS
DBG Road

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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02.09.2024

CRL.M.A. 26204/2024 (Exemption)

Allowed, subject to all just exceptions.

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1. The Petitioner has approached this Court for quashing FIR No.248/2015 dated 10.04.2015 registered at Police Station DBG Road for offences under Sections 506 & 509 IPC on the ground that the parties have entered into an amicable settlement.
2. After completion of investigation, chargesheet has been filed for offences under Section 506 & 509 IPC read with Section 12 of the POCSO Act.

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3. A perusal of the FIR shows that the allegations against the Petitioner are that he abused the complainant and threatened to kill her. On the said complaint, the instant FIR was registered against the Petitioner.

4. It is stated that the Petitioner and the Complainant are neighbours. The Petitioner has approached this Court primarily on the ground that he has entered into a settlement agreement with the Complainant on 15.07.2024.

5. A copy of Settlement Deed dated 15.07.2024 has been annexed with the instant petition as Annexure P-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.

6. The Petitioner is present in Court today. The Complainant/Respondent No.2 has joined the proceedings 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.

7. In view the fact that the parties have decided to live peacefully and to avoid future acrimony, this Court is inclined to quash the present FIR. Resultantly, FIR No.248/2015 dated 10.04.2015 registered at Police Station DBG Road for offences under Sections 506 & 509 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.

8. A reading of the FIR shows that the Petitioner abused and threatened the Complainant. The Petitioner cannot be let off only because the Complainant/Respondent No.2 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 cannot be compromised easily. This Court is, therefore, inclined to impose costs of Rs.20,000/- on the Petitioner so that the Petitioner does not repeat such kind of offences in future.

9. Accordingly, the Petitioner is directed to deposit a sum of Rs.20,000/- 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.

10. This Court also feels that the Petitioner must also do some community service. Accordingly, the Petitioner is directed to do community service at Gurudwara Rakab Ganj Sahib for a period of 15 days, i.e., from 15.09.2024 to 30.09.2024. The Petitioner shall perform such duties as assigned to him at Gurudwara Rakab Ganj Sahib from 09:00AM everyday for a period of 15 days and shall obtain a certificate from the Gurudwara Rakab Ganj Sahib after the completion of 15 days which shall also be filed to show compliance of the order of this Court.

11. 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.

12. 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.

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

SUBRAMONIUM PRASAD, J

SEPTEMBER 2, 2024

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