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

+ **CRL.M.C. 474/2024 & CRL.M.A. 1902/2024**

AZHAR ALI

..... Petitioner

Through: Mr. Yogesh Sharma, Ms. Pratima
Ravi and Mr. Yugant Parihar,
Advocates with petitioner in person.

versus

**STATE (THROUGH SHO PS
MEHRAULI) & ANR.**

..... Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Sandeep Kumar PS Mehrauli,
New Delhi.
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

22.01.2024

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1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.404/2022 registered under Sections 420/504/34 IPC at Police Station Mehrauli, New Delhi on the ground that the parties have amicably settled their disputes.
2. The present FIR has been lodged at the instance of the complainant/respondent No. 2 who has alleged that the petitioner, in the context of selling a flat, took certain money from respondent No.2 and despite several request, refused to complete the process. Petitioner therefore cheated respondent No.2.
3. Learned APP for the State, on instructions, submits that the petitioner is the only accused person and respondent No. 2 is the only



complainant/victim. He further submits that the charge-sheet has not yet been filed.

4. Learned counsel for the petitioner submits that the parties have settled the matter and the said factum has been recorded in the order dated 29.08.2022 passed in Bail Application No.1351/2022 before the learned ASJ, Special FTC/South District. The said order notes that as per the terms of settlement, the petitioner shall pay a sum of Rs.7 lacs as full and final settlement to respondent No.2. It is further stated that the entire settlement amount has already been paid.

5. The petitioner, who is present in court, is identified by his counsel as well as the Investigating Officer/ SI Sandeep Kumar PS Mehrauli, New Delhi. Respondent No. 2, who is also present in court, is identified by the I.O.

6. Respondent No. 2 states that she has settled the matter out of her own free will, volition and without any coercion and that she has received the entire amount from the petitioner. She further states that she has no objection if the present FIR and consequent proceedings are quashed.

7. Learned counsel for the petitioner submits 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 since no useful purpose will be served in continuance of the proceedings, it is directed that the aforesaid FIR is hereby quashed, subject to payment of cost of Rs.10,000/- by the petitioner,



with the Delhi State Legal Service Authority within a period of two weeks from today. The amount so deposited shall be utilized by the Delhi State Legal Service Authority for providing counselling/psychological support to POCSO victims requiring such assistance.

10. Proof evidencing receipt of deposit shall be filed with the Investigating Officer as well as in Court.

11. With the above directions, the petition is disposed of alongwith pending application.

12. The Registry shall list the matter before this Court in case receipt of costs to be paid by the petitioner is not filed within the stipulated time period.

MANOJ KUMAR OHRI, J

JANUARY 22, 2024/rd