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

+ **CRL.M.C. 7189/2024, CRL.M.A. 27463/2024**

ANKIT AGARWAL

.....Petitioner

Through: Mr. Alok Kothari, Adv. with
petitioner.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Satish Kumar, APP for the State
with SI Kapil Singh, PS Timarpur,
Delhi
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

% **11.09.2024**

CRL.M.A. 27463/2024 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 7189/2024

1. The present petition has been filed seeking quashing of FIR No. 448/2017 registered at PS Timarpur under Sections 354 IPC.
2. Briefly stated the facts of the matter are, on 14.10.2017, a complaint was lodged by complainant/respondent no. 2 alleging that Ankit Aggarwal/ petitioner, along with others, molested her and obstructed her from leaving a building during a confrontation at Riviera Apartments, Delhi. She claimed that Ankit Aggarwal inappropriately touched her and that his mother recorded the incident. The police investigation included statements from witnesses, including the



complainant's testimony under Section 164 Cr.P.C., but found no substantial evidence to arrest the accused. Chargesheet was filed under section 354 IPC against the petitioner.

3. However, the matter has been amicably settled between the parties vide Settlement Deed dated 14.12.2023 on following terms and conditions;

“Since both the parties are residing in the same society and known to each other, with the efforts and intervention of the common acquaintances and respectable of the society, the parties have arrived at an amicable settlement and have sorted out their issues, by virtue whereof, the first party has agreed to withdraw and compound the case (supra).

Necessary and requisite statements shall be made by the respective parties, as and when required and all the disputes between the parties stand finally resolved and there remains no ill- will or complaint against each other in any manner whatsoever.

The second party shall file a petition under Section 482 CrPC for the quashing of the above stated proceedings culminated from FIR No.448 dated 14.10.2017 under section 354 of IPC which has been registered at Police Station Timarpur, Delhi and the first party shall give the no- objection thereto, as per Law.

This deed of settlement is executed between the parties with their mutual consent and free will without any pressure, force, coercion or undue influence from any quarter whatsoever. Both the parties have decided to end all their disputes fully and to live peacefully. Any pending complaint(s) against each by the above named parties shall stand withdrawn, cancelled and revoked finally after signing of this deed.”

4. Respondent No.2 submits that the a quarrel has taken place at the society office which lead to the registration of present FIR. However,



respondent No.2 states that now she has been settled the matter with the petitioner and they have living peacefully in the same society.

5. IO has identified both the parties present in person. Respondent No.2 submits that she has entered the settlement voluntarily without any fear, force, or coercion. As the matter/dispute has been settled vide settlement deed dated 14.12.2023, she has no objection if the FIR No. 448/2017 registered at PS Timarpur under Sections 354 IPC and all the other proceedings emanating therefrom are quashed.
6. In the case of ***Ramgopal and Anr. v. The State of Madhya Pradesh*** (CRL.A. No. 1489 of 2012), dated 29.09.2021, the Supreme Court *inter alia* held that FIRs can be quashed in cases where the dispute is personal or civil in nature and does not affect public law or societal interests. This ruling aims to prevent unnecessary litigation, especially in private matters. The Court emphasized the value of promoting harmony through settlements in disputes such as matrimonial or property issues. However, it clarified that serious crimes like murder or rape, which have wider societal implications, cannot be quashed through private settlements. This distinction ensures that public interest is upheld in cases of grave offenses.
7. Taking into account the totality of facts and circumstances of the case, this court considers that the parties have entered into an amicable settlement out of their own free will, without any fear, force or coercion and they should be given an opportunity to lead their lives peacefully. No purpose will be served in continuing with the trial.



8. In view of the above, FIR No. 448/2017 registered at PS Timarpur under Sections 354 IPC and all the other proceedings emanating therefrom are quashed.
9. The present petition stands disposed of.

DINESH KUMAR SHARMA, J

SEPTEMBER 11, 2024

Pallavi/NA