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

+ **CRL.M.C. 7220/2024**

RAJESH KUMAR & ANR.

.....Petitioners

Through: Mr.Vinayak Bhandari, Ms.Jaisal Singh and Ms.Teest, Advocates with petitioners in person.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr.Yudhvir Singh Chauhan, APP for State with SI Lokendra Singh Ms.Gayatri Nandwani and Ms.Mudita Sharda, Advocates for R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER
02.12.2024

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1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") has been filed by the petitioner praying for quashing of FIR bearing No. 842/2015 registered at Police Station - Mahendra Park, Delhi for offences punishable under Sections 354D/509 of the Indian Penal Code, 1860 (hereinafter "IPC").

2. The petitioners herein are present before this Court and have been identified by their counsel Mr. Vinayak Bhandari and the Investigating Officer SI Lokendra Singh. The respondent No.2/complainant is also present in the Court and has been identified by her counsel as well as the



Investigating Officer.

3. On the query made by this Court, respondent no.2/complainant has categorically stated that she has entered into compromise out of her own free will and without any pressure or coercion from any quarter. It is also stated by respondent No.2 that the entire dispute has been amicably settled between the parties.

4. The brief facts of the case are that the petitioner nos. 1 and 2 have misbehaved and acted inappropriately with the respondent no.2 , leading to the filing of the aforesaid FIR.

5. With the intervention of family members and relatives, both the parties entered into settlement vide Memorandum of Understanding dated 10th May, 2024. The terms and conditions of the said settlement are mentioned in the settlement deed which is annexed as Annexure C to the present petition.

6. It is prayed by the learned counsel appearing on behalf of the parties that the instant FIR may be quashed on the basis of the compromise as per the Judgment of the Hon'ble Supreme Court passed in ***Gian Singh vs. State of Punjab*, (2012) 10 SCC 303**. At this juncture, the petitioner appearing in-person also undertakes to not repeat the same conduct in the future.

7. *Per contra*, Mr. Yudhvir Singh Chauhan, learned APP for the State submitted that in case this Court is inclined to allow the instant petition and to quash the FIR in question in view of the settlement arrived at between the parties, costs may be imposed upon the petitioners as the FIR was registered in the year 2015 and a period of more than 8 years of judicial time is wasted.

8. Heard learned counsel for the parties and perused the record.

9. Keeping in view the fact that parties have settled the matter as well as



undertaking given by the petitioners, no useful purpose would be served by keeping the matter pending. Hence, FIR bearing No. 842/2015 registered at Police Station Mahendra Park, for offences punishable under Sections 354D/509 of the IPC and consequent proceedings emanating therefrom are quashed, subject to the deposition of the costs of Rs.10,000/- in the account of Army Central Welfare Fund, Saving Account No. 520101236373338 (IFSC- UBIN0530778), Bank Name- Union Bank of India, Branch- Chandni Chowk, Delhi – 110006 within a period of two weeks. The receipt towards the payment of the aforesaid cost shall be furnished before the IO as well as the Registry of this Court within two weeks.

10. The petition along with pending application, if any, stands disposed of.

CHANDRA DHARI SINGH, J

DECEMBER 2, 2024
SV/MK

Click here to check corrigendum, if any