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

+ **CRL.M.C. 7287/2024 & CRL.M.A. 27804/2024**

**AMAN KUMAR**

.....Petitioner

Through: Mr. Vineet Jain (D/215/00), Advocate  
with Petitioner in person.

versus

**STATE NCT OF DELHI AND ORS.**

.....Respondents

Through: Insp. Satish Kumar, D-1/1201,  
DIU/North

**CORAM:**

**HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

**ORDER**

**13.09.2024**

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1. The Petitioner has approached this Court seeking quashing of FIR No.108/2018, dated 16.04.2018, registered at Police Station Civil Lines for offences under Sections 354(A)/354(D)/509 IPC and Section 12 of the POCSO Act on the ground that the parties have entered into an amicable settlement.

2. A perusal of the FIR shows that the allegations against the Petitioner are quite serious in nature. The Petitioner has entered into a settlement agreement with the Complainant on 31.10.2023 before Delhi Mediation Centre, Karkardooma Courts, after the Complainant has been examined. It is stated that the Petitioner and the Complainant are neighbours. A copy of Settlement Deed dated 08.07.2024 has been annexed with the instant petition as Annexure-C. 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.

3. Today, the Petitioner and the Complainant are present in Court. 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.

4. Even though the allegations against the Petitioner are quite serious in nature but considering the fact that the Prosecutrix has decided to forgive the Petitioner, this Court is incline to exercise its jurisdiction under Section 482 Cr.P.C to quash the present FIR. Resultantly, FIR No.108/2018, dated 16.04.2018, registered at Police Station Civil Lines for offences under Sections 354(A)/354(D)/509 IPC and Section 12 of the POCSO Act 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.

5. A reading of the FIR shows that the Petitioner has outraged the modesty of the Complainant herein. The Petitioner cannot be let off only because the Respondent No.2/Complainant, has decided to enter into a settlement with the Petitioner. The Petitioner has to atone for their sins and must realize that he cannot take the Courts for granted and that the offence committed by him for outraging the modesty of a women can be



compromised and that he will be let off. This Court feels that the Petitioner must do some community service to atone his sins.

6. It is stated that the Petitioner is a student pursuing his Under Graduate course in Mass Communication from Edit Works School of Mass Communication, Noida. The Petitioner is directed to do community service at Ram Manohar Lohia Hospital for a period of two month, i.e., from 01.10.2024 to 30.12.2024. The Petitioner shall perform such duties as assigned to him by the Medical Superintendent, Ram Manohar Lohia Hospital between 04:30 PM to 07:30 PM everyday for a period of two months and shall obtain a certificate from the Medical Superintendent, Ram Manohar Lohia Hospital, after the completion of community service and he shall file the same before this Court to show compliance of the order of this Court. 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.

7. 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.

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

**SUBRAMONIUM PRASAD, J**

**SEPTEMBER 13, 2024**

*Rahul*