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

+ **CRL.M.C. 7294/2024 & CRL. MA 27849/2024**

SAMUNDER SINGH

.....Petitioner

Through: Mr. Ravi Chawla, Mr. Vivek Luthra,
Mr. Daksh Tikoo, Mr. Himanshu
Sood and Mr. Shubham Chandra,
Advocates, Advocates with petitioner
in person.

versus

STATE (GOVT. OF NCT OF DELHI) & ANRRespondents

Through: Mr. Nawal Kishore Jha, APP for State
with SI Rohit PS Prem Nagar, Delhi.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

21.10.2024

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1. The present proceedings are instituted on behalf of the petitioner seeking quashing of FIR No. 0399/2020 registered under Sections 3(1) (za) (C), 3 (1) (r) and 3 (1) (s) of SC/ST (Prevention of Atrocities) Act, 1989 at Police Station Prem Nagar, Delhi on the ground that the parties have amicably settled their disputes.

2. As per the allegations levelled in the FIR, the petitioner interfered in the occupation of respondent No.2, who belongs to a Scheduled Caste community, and tried to stop him from entering a temple.

3. Mr. Nawal Kishore Jha, learned APP for the State, on instructions, submits that the petitioner is the only accused and respondent No.2 is the complainant/victim in the present case. It is further submitted that the charge-sheet has been filed and charges have been framed under Sections



3(i)(r),(s),(za)(C), (za)(E) and u/S 3(2) (va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 r/w Section 506 IPC. He further states that since the State machinery has been put in use, the petitioners be saddled with some costs.

4. Learned counsel for the petitioner submits that the petitioner and respondent No. 2 are known to each other and present FIR was registered due to misunderstanding and with the intervention of family members and friends, parties have amicably settled their disputes vide Settlement Agreement dated 12.08.2024, a copy whereof has been placed on record. Learned counsel for the petitioner while referring to the charge-sheet states that the allegations in the complaint though stated to be witnessed by two public witnesses namely *Naresh Gupta* and *Mukesh Kumar*, however, as per the charge-sheet, their CDR locations were not found at the place of the incident. He also states that the present FIR was in fact a counterblast to an earlier complaint filed by the brother of the petitioner being FIR No.625/2018 registered under Sections 420/467/468/471/120B/34 IPC at PS Prem Nagar, Delhi in which also the parties have been able to reach an amicable settlement and regarding which quashing is vide CrI. M.C. No.7335/2024. He states that in terms of the said settlement, respondent No.2/complainant is now left with no claim or grievance against the petitioner.

5. The petitioner, who is present in the Court, has been identified by his counsel as well as the I.O./ SI Rohit PS Prem Nagar, Delhi. Respondent No. 2 is also present in Court and has been identified by the I.O.

6. The petitioner has shown remorse for his conduct and undertakes not to repeat the same in future. Respondent No. 2 also states that he has entered



into the aforementioned settlement out of his own free will, volition and without any coercion. He further states that he has no objection if the present FIR and consequent proceedings are quashed.

7. The parties shall remain bound by the statements made in Court today.

8. In view of the above facts and considering that no useful purpose will be served in continuance of the proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed, subject to payment of cumulative cost of Rs.50,000/- to be deposited by the petitioner with the Delhi State Legal Services Authority(Account No.18580110053263, UCO Bank, Branch Rouse Avenue, IFSC: UCBA0003364) within a period of two weeks from today. The amount so deposited shall be utilized by the Delhi State Legal Services Authority for providing counselling/psychological support to POCSO victims requiring such assistance.

9. Proof evidencing receipt of deposit shall be filed with the I.O.

10. A copy of this order be communicated to the Member Secretary, Delhi State Legal Services Authority for intimation.

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

12. In case the proof of cost is not filed within two weeks, the IO shall be at liberty to move an appropriate application in this regard.

MANOJ KUMAR OHRI, J

OCTOBER 21, 2024/rd