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

+ **CRL.M.C. 7452/2024**

SUSHANT GAMBHIR

.....Petitioner

Through: Ms. Priyanka Khandelwal
(D/4948/2018), Mr. Dushyant Nayak
(D/416/2003) and Ms. Naina Taluja
(D/5656/2024), Advocates along with
the Petitioner in person.

versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State.
Mr. Abhishek Sharma (D/575/24),
Mr. Prateek Gupta (D/3195/18), Ms.
Suajata Pal and Ms. Shilpa Jain,
Advocates for R-2 along with
Respondent No.2 in person.
SI Virender, PS Model Town and
Insp. Kuldeep Singh (D-4358), PS
Uttam Nagar.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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20.09.2024

CRL.M.A. 28452/2024 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 7452/2024

1. The present petition under Section 482 Cr.P.C has been filed for quashing FIR No.369/2015 dated 22.05.2015, registered at Police Station K.W. Camp/Model Town for offences punishable under Sections 354/506/509/323/341 IPC on the ground that the parties have entered into a



settlement.

2. It is alleged in the FIR that the Petitioner has abused and outraged the modesty of Respondent No.2/Complainant and, therefore, on the complaint of Respondent No.2/Complainant, the present FIR was registered against the Petitioner.

3. It is stated that the Respondent No.2/Complainant and the Petitioner have settled the dispute amicably *vide* a Memorandum of Understanding (MoU) dated 01.06.2023 which has been annexed in the present petition as Annexure-C.

4. It is stated that the Petitioner is remorseful for his conduct and that he would not repeat such an offence in future.

5. Today, the Parties are present in Court. The Petitioner has been identified by his Counsel and the Investigating Officer. The Respondent No.2/Complainant, who has joined the proceedings through video conferencing, has been identified by her Counsel and the Investigating Officer. The Respondent No.2/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 states that she does not want to pursue the present case any further and requests that the present FIR and the proceedings emanating therefrom may be quashed. The parties undertake that they will remain bound by the settlement and the proceedings recorded before this Court.

6. In view of the fact that the settlement has been arrived at between the Parties and the present case is squarely covered under the law laid down by the Apex Court in Gian Singh v. State of Punjab, (2012) 10 SCC 303, this Court is of the opinion that no useful purpose would be served in continuing



with the present proceedings. Resultantly, the FIR No.369/2015 dated 22.05.2015, registered at Police Station K.W. Camp/Model Town for offences punishable under Sections 354/506/509/323/341 IPC and the proceedings emanating therefrom are hereby quashed.

7. This Court is also inclined to impose costs upon the Petitioner so that the Petitioner does not repeat such kind of offences in future. Accordingly, the Petitioner is directed to pay a sum of Rs.20,000/- to be deposited with the "*Armed Forces Battle Casualties Welfare Fund*" within three weeks from today. Copies of the receipt be also filed with the Registry of this Court to show compliance of the Order.

8. The Petitioner is also directed to plant 25 trees at his own expense in his locality within 15 days. The Investigating Officer is directed to ensure that the trees are planted by the Petitioner and a Compliance Report regarding the same shall also be filed before this Court.

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

SUBRAMONIUM PRASAD, J

SEPTEMBER 20, 2024

S. Zakir