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

+ W.P.(CRL) 692/2024 & CRL.M.A. 6425/2024 (Delay in re-filing),
CRL.M.A. 6424/2024 (Exemption)

GULZAR

..... Petitioner

Through: Ms. Vaishali Singh, Mr. Ranjit
Kumar, Mr. Mayur Rexwal and
Mr. Pradeep Kumar Rai, Advocates
alongwith petitioner in person.

versus

STATE & ANR.

..... Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(criminal) for the State with
Mr. Priyam Aggarwal and
Mr. Abhinav Kumar Arya,
Advocates.
SI Birender Singh, PS Tughlak Road.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

28.02.2024

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1. The present petition filed under Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeks quashing of the FIR No. 95/2021, under Sections 354(D)/506/509 of the IPC, registered at P.S. Tughlak Road and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Komal Garg, learned Metropolitan Magistrate, Patiala House Courts, Delhi.
2. Learned counsel appearing on behalf of the petitioner submits that during the pendency of aforesaid proceedings parties have entered into a settlement/compromise deed dated 22.10.2023 and in pursuance of the same



respondent no. 2 has no objection if the present FIR and consequent proceedings are quashed against the petitioner. The copy of the aforesaid settlement deed dated 22.10.2023 is on record (Annexure P-3).

3. Petitioner and complainant/respondent no. 2 are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Birender Singh, PS Tughlak Road.

4. The complainant/respondent No.2 states that the matter has been settled with the petitioners and she has no objection if the FIR is quashed.

5. In view of the settlement between the parties, learned Standing Counsel for the State also has no objection if the present FIR is quashed.

6. In *Gian Singh v. State of Punjab*, (2012) 10 SCC 303, the Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

“61. ... In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.”

7. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 95/2021, under Sections 354(D)/506/509 of the IPC, registered at P.S. Tughlak Road and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Komal Garg, learned Metropolitan Magistrate, Patiala House Courts, Delhi.



8. In the interest of justice, the petition is allowed, and the FIR No. 95/2021, under Sections 354(D)/506/509 of the IPC, registered at P.S. Tughlak Road and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Komal Garg, learned Metropolitan Magistrate, Patiala House Courts, Delhi, is hereby quashed subject to a payment of cost of Rs.15,000/-, to be deposited by the petitioner with the Delhi Legal Services Authority within a period of 10 days from today. The amount so deposited shall be utilized by the DLSA for providing counselling/psychological support to POCSO victims requiring such assistance.

9. Petition is allowed and disposed of accordingly.

10. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

FEBRUARY 28, 2024/sn