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

+ **W.P.(CRL) 3020/2024**

MD. OSAMA ZAKARIYA

.....Petitioner

Through: Mr. Sulaiman Mohd Khan, Ms. Taiba Khan, Mr. Bhanu Malhotra, Mr. Gopeshwar Singh Chandel, Mr. Abdul Basi Khar & Ms. Aditi Chaudhary, Advocates.

versus

STATE NCT OF DELHI AND ANR

.....Respondent

Through: Mr. Sanjay Lao, Standing Counsel with Mr. Abhinav Kr. Arya, Adv. with SI Akshay Dagar, PS Shaheen Bagh.
Mr. Mohd. Shameem, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

15.10.2024

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1. This petition has been filed seeking quashing of FIR No.49/2021 PS Shaheen Bagh under Sections 354-D/509 of IPC basis settlement arrived at between the parties dated 30th August, 2024, which is on record of this Court.
2. Petitioner and respondent No.2/complainant are present before the Court and duly identified by the IO.
3. Respondent No.2 states that she has no objection to the quashing of FIR considering that the matters have been amicably resolved.
4. Petitioner undertakes to respect the compromise that has been arrived



at, and further states that all the personal photos of the complainant have now been deleted, and he assures that he shall not misuse them in anyway, and he shall also not contact the complainant without her consent.

5. The petitioner undertakes to sponsor, organize and serve meal to at least 35 underprivileged children in the area that he resides in (at Madarsha Darul Ulam Zakaria, Thokar No.08, Shaheen Bagh, New Delhi) which shall be within the period of three weeks.

6. Affidavit of compliance with photographs will be filed before the Court within two weeks thereafter.

7. Considering the above settlement between the parties and the chances of conviction of the petitioners being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Accordingly, the petition is allowed. Consequently, the FIR No.49/2021 PS Shaheen Bagh under Sections 354-D/509 of IPC and proceedings emanating therefrom are quashed.

8. Parties shall abide by the terms of settlement.

9. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.

10. Order be uploaded on the website of this Court.

ANISH DAYAL, J

OCTOBER 15, 2024/MK