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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 7846/2024

VIJAY KUMAR & ORS.

.....Petitioners

Through: Mr. J.K. Sharma and Ms. Bhawna,
Advts. with petitioners in person

versus

STATE OF GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for State
with SI Himika Taya, PS Sultanpuri.
Mr. Brahmanand Gupta, Adv. for R-2
with respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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22.10.2024

1. By way of present petition, the petitioners seek quashing of FIR No.549/2015 registered under Section 323/341/354/506/509/34 IPC at PS Sultan Puri, Delhi.
2. As per the allegations levelled in the FIR, the petitioner No.1 inappropriately touched and harassed the daughter-in-law of respondent No.2, as well as alongwith other petitioners threatened and assaulted respondent No.2.
3. Learned APP for the State, on instructions, submits that though the chargesheet was filed against 4 accused persons, one of them, namely Chander Shekhar @ Tinku has since expired on 16.12.2023, and a copy of his death certificate has been placed on record. Respondent No. 2 and her daughter-in-law 'R' are the only complainant/victim in the present case. It



is further submitted that the chargesheet has already been filed in this case. Learned APP further states that considering the serious nature of averments/allegations and that the incident has taken place at a public place, the petitioner may be saddled with heavy costs.

4. Learned counsels for the parties submit that the petitioners 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 before Delhi Mediation Centre, Rohini Courts, Delhi on 11.09.2019, a copy of which has been placed on record. In terms of the said settlement, complainant is now left with no claim or grievance against the petitioners.

5. It is informed that a cross FIR No. 549/2015 registered under Section 323/341/354/506/509/34 IPC at PS Sultan Puri which has also been quashed vide today's order passed in CRL.M.C. 7846/2024.

6. The petitioners, who are present in Court, have been identified by their counsel as well as the I.O./SI Himika Taya, PS Sultanpuri, Delhi. Respondent No. 2 is also present in Court and has been identified by her counsel as well as by the I.O.

7. The petitioners have shown remorse for their conduct and undertake not to repeat the same in future. Respondent No. 2 also states that she has entered into the aforementioned settlement out of her own free will, volition and without any coercion. She further states that he has no objection if the present FIR and consequent proceedings are quashed. Ld APP, on instructions from IO, informs that the other victim namely 'R' i.e. daughter-in-law of the complainant, has also given her no objection to the quashing of the present FIR telephonically.



8. The parties shall remain bound by the statements made in Court today.
9. 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.5,000/- to be deposited by the petitioners 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.
10. Proof evidencing receipt of deposit shall be filed with the I.O. as well as in Court.
11. A copy of this order be communicated to the Member Secretary, Delhi State Legal Services Authority for intimation.
12. With the above directions, the petition is disposed of alongwith miscellaneous application.
13. 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 22, 2024

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