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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 8527/2024 CRL.M.A. 32518/2024**
KAPIL SINGHPetitioner
Through: Mr Ranjan Kumar, Adv.

versus

STATE GOVT OF NCT OF DELHIRespondent
Through: Mr. Hemant Mehla, APP for the State
with SI Kajal Tyagi, PS Pahar Ganj.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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25.10.2024

1. This petition has been filed seeking quashing of FIR No.325/2024 PS Pahar Ganj under Sections 376/313/328/323/354D of IPC.
2. The complainant is present in Court along with her mother. She states that she is 25 years of age and is already married.
3. The accused is also present in Court and states that he is already married.
4. Both the accused and the complainant are duly identified by the IO.
5. The complainant states in her statement recorded under Section 164 Cr.P.C. that she known the accused since he used to work in his Bar located at near Jhandewalan Metro Station and became friends. However, certain quarrels happened between them. She stated they had a physical relationship but it was consensual.
6. An affidavit has also been filed dated 14th October, 2024 by the complainant where she states the same. She stated that they were both in their respective marriages and talking about divorces, and therefore quarrels



started between them due to some misunderstanding. She registered the complaint after a fight since she was upset.

7. The Court has queried the complainant and she stands by what she states in the affidavit as also confirms that she has not made any statement under influence and coercion.

8. The complainant states that she has no objection to the quashing of the said FIR.

9. 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.325/2024 PS Pahar Ganj under Sections 376/313/328/323/354D of IPC and proceedings emanating therefrom are quashed.

10. Parties shall abide by the terms of settlement.

11. The petitioner shall deposit a cost of Rs.15,000/- in the Chhanv Foundation (Acid Attack Organisation), Bank Name-Kotak Mahindra Bank, A/C No.5213224861, IFSC Code-KKBK0000214, Branch Name- G-39 Connaught Circus, New Delhi, within a period of two weeks.

12. An affidavit of compliance be filed within two weeks thereafter.

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

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

ANISH DAYAL, J

OCTOBER 25, 2024/MK