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

+ **CRL.M.C. 9058/2024**

PAWAN PATHAK

.....Petitioner

Through: Counsel (appearance not given) with
petitioner in court.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Ms. Manjeet Arya, APP for the State
with SI Ashwani Yadav, P.S.: K. M.
Pur.
R2 in court.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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20.11.2024

CRL.M.A. 34708/2024

Exemption granted, subject to just exceptions.

The application stands disposed-of.

CRL.M.C. 9058/2024

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner and complainant/respondent No. 2, seek quashing of case FIR No. 114/2018 dated 11.04.2018 registered under sections 354(D) of the Indian Penal Code, 1860 ('IPC') at P.S.: K. M. Pur, Delhi.

2. The petition is premised on a No-Objection Certificate/Affidavit dated 25.10.2024 signed by respondent No.2.
3. The petition is also supported by affidavit of the petitioner and proof of the IDs of the petitioner and respondent No. 2.



4. The contesting parties are present in court. Their credentials have been verified and they have also been identified by their respective counsel.
5. The court has interacted with respondent No.2. She confirms that she has settled the matter with the petitioner and does not wish to pursue proceedings in the subject FIR any further.
6. The record also shows that on 12.07.2024 respondent No.2/complainant had recorded a statement before the learned JFMC, Mahila Court, Saket, New Delhi that upon an unconditional apology being tendered by the petitioner/accused and his undertaking not to repeat his conduct in the future, she has voluntarily settled the matter.
7. Respondent No.2 informs the court that the petitioner has tendered the requisite apology.
8. Ms. Manjeet Arya, learned APP confirms that the State has no objection to the subject FIR being quashed.
9. In the circumstances, in line with the law laid down by the Supreme Court in *Gian Singh vs. State of Punjab & Anr.* reported as (2012) 10 SCC 303 as also in *Narinder Singh & Ors. vs. State of Punjab & Anr.* reported as (2014) 6 SCC 466, this court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. This court is of the view that in light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be an exercise in futility and would not be conducive to peace and harmony between the parties.



10. Accordingly, case FIR No. 114/2018 dated 11.04.2018 registered under sections 354(D) IPC at P.S.: K. M. Pur, Delhi is quashed. All proceedings arising therefrom also stand closed.
11. Petition stands disposed-of.
12. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

NOVEMBER 20, 2024

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