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

+ **CRL.M.C. 9267/2024**

**KAPIL DAYAL**

.....Petitioner

Through: Mr. Pulkit Sharma, Mr. Vineet  
Ranjan and Mr. Fareed Siddiqui, Advs.

versus

**STATE OF NCT OF DELHI & ANR.**

.....Respondent

Through: Mr. Satinder Singh Bawa, APP for  
State with SI Kumari Banti, PS  
Vasant Vihar.  
Mr. D.K. Singh and Mr. Narender  
Baisoya, Advs. for R-2.

**CORAM:**

**HON'BLE MR. JUSTICE ANISH DAYAL**

**ORDER**  
**17.12.2024**

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1. This petition has been filed seeking quashing of FIR No.158/2019 dated 31st October 2019 under Sections 354D/506 IPC and Section 12 POCSO Act registered at P.S. Vasant Vihar, Delhi, basis purported settlement dated 18th November 2024, which is on record of this Court. Chargesheet in the matter was filed under Sections 354D/506/452 IPC and Section 12 POCSO Act.
2. Petitioner and respondent no.2/prosecutrix are present in Court today and are duly identified by the IO and counsel.
3. Respondent no.2/prosecutrix is now 20 years of age and states that the issue was pertaining to a family matter; petitioner is now married to her



cousin and has a child with her cousin.

4. Status report has been filed. The testimony of the prosecutrix has been placed on record where she has supported the case of the prosecution. However, after querying the prosecutrix, who is present in Court, she states that the issue arose between the families and she does not wish to pursue this petition any further. She states that there has been no undue influence, pressure or coercion on her for the quashing of the present FIR. The mother of the prosecutrix is also present in Court and confirms the same.

5. In view of the overall facts and circumstances, as also looking at the nature of the incident and no objection by respondent No.2, the Court is inclined to quash the FIR.

6. 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.158/2019 dated 31st October 2019 under Sections 354D/506 IPC and Section 12 POCSO Act registered at P.S. Vasant Vihar, Delhi and proceedings emanating therefrom are quashed.

7. Parties shall abide by the terms of settlement.

8. Petitioner will deposit a cost of Rs.20,000/- in 'Sakshi', Bank Name: Kotak Mahindra Bank, A/c No.: 683011011421, IFSC Code: KKBK0000217, Branch: AGCR Enclave, Karkardooma, New Delhi-110092, Contact No. +912220890871; which will be deposited within three weeks. An affidavit of compliance shall be filed within two weeks thereafter.

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**

**DECEMBER 17, 2024/MK**