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

+ **CRL.M.C. 9858/2024 and CRL.M.A. 37772/2024**

ANWAR ALI

.....Petitioner

Through: Mr. Satyendra Kumar, Advocate with
petitioner in person.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Hitesh Vali, APP for the
State with SI Reena, PS Dwarka, Sec.-
23 and SI Sarita (IO of the Case)
Mr. Deepak Kumar, Advocate with
Prosecutrix (through VC)

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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16.12.2024

CRL.M.A. 37772/2024

Exemption granted, subject to just exceptions.

The application stands disposed-of.

CRL.M.C. 9858/2024

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks quashing of case FIR No. 117/2022 dated 25.02.2022 registered under sections 376/511 of the Indian Penal Code, 1860 ('IPC') at P.S.: Sector 23 Dwarka, Delhi. Consequent upon completion of investigation, chargesheet dated 19.04.2022 was filed under sections 394/354/354-B/509/356 IPC.

2. The petition is premised on Memorandum of Understanding/Settlement Deed dated 29.04.2024, whereby the petitioner and respondent No. 2 have resolved the matter amicably.



3. The petition is also supported by affidavits of the petitioner and of respondent No. 2, alongwith proof of their IDs.
4. The contesting parties are present in court. Their credentials have been verified and they have also been identified by their respective counsel.
5. Respondent No.2 has joined the proceedings *via* video-conferencing from West Bengal. The court has interacted with her closely. She states that nothing was robbed from her; that no sexual assault was committed upon her; and that she does not wish to proceed further with the matter and the proceedings in the FIR be closed.
6. The court has also interacted with petitioner. The parties have confirmed that they have now resolved the matter and Memorandum of Understanding/Settlement Deed dated 29.04.2024 has been signed by them closing all issues amicably. Parties now wish to live in peace and harmony going forward.
7. Mr. Hitesh Vali, learned APP confirms that the State has no objection to the subject FIR being quashed.
8. 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.



9. Accordingly, FIR No. 117/2022 dated 25.02.2022 registered under sections 376/511 IPC at P.S.: Sector 23 Dwarka, Delhi is quashed. All proceedings arising therefrom also stand closed.
10. Petition stands disposed-of.
11. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

DECEMBER 16, 2024/sv