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

+ CRL.M.C. 9903/2024 & CRL.M.A. 37938/2024

AMIT RANIWALA

.....Petitioner

Through: Ms. Vibha Datta Makhija, Senior Advocate along with Mr. Sumit Kumar, Mr. Rahul Mehra, Mr. Praveen Gaur, and Mr. Karan Panesar, Advocates with Petitioner in person.

versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Satinder Singh Bawa, APP for State/R-1 with SI Ram Kumar PS Preet Vihar.
Mr Abhijit Mishra, Ms Payal Bahl, Mr Saurav Singh, Mr Himanshu Tomar, Mr Vikhyat Gupta, Advs. for R-2 to 4 with R-2 to 4 in person.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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17.12.2024

1. This petition has been filed seeking quashing of FIR No. 387/2021 registered under Section 354A IPC and Section 12 POCSO Act, at PS Preet Vihar basis settlement arrived at between the parties dated 27th November 2024, with the facilitation of the Delhi High Court Mediation and Conciliation Centre, which is on record of this Court.
2. Petitioner (*husband*), respondent no.2 (*wife*), and respondent no.3 (*daughter*) are present in Court while respondent no.4 (*minor son*) is present through VC. All of them are duly identified by the IO and their respective



counsel.

3. Senior Counsel for petitioner draws attention to the comprehensive nature of the settlement agreement arrived at between the parties to put *quietus* to all 8 proceedings ongoing between the petitioner/husband and respondent no.2/wife.

4. Allegations under Section 12 POCSO Act arise out of an allegation that the petitioner/husband/father shared explicit images/videos of his wife/respondent no.2 with the children (*respondent nos. 3 and 4*).

5. The Court has interacted with the daughter of the parties, who is now major in age, as also with the minor son of parties who appears through VC. They state that they are cognizant of the settlement and impact of the same, and have no objection.

6. In implementing the settlement agreement, the parties have already taken a few steps and maintenance proceedings under Section 125 Cr.P.C. have already been withdrawn. A total amount of Rs.2 crores has been agreed upon as full and final settlement, which is to be paid in staggered fashion as enumerated in the settlement agreement, pegged to stagewise compliance of each of the parties relating to withdrawal of various proceedings.

7. APP for the State, however, raises an objection to quashing of the FIR considering involvement of offence under Section 12 POCSO Act, and that consent of a minor cannot be considered.

8. However, having heard the parties (all the family members) who are present in person and their endeavour to put *quietus* to all pending litigations between them, and the settlement of disputes through mediation, as noted above, as also having considered respective submissions of counsel for the parties who have apprised the Court of the background of the matter and the efforts made through mediation to reach this settlement, this Court



deems it fit to quash the FIR.

9. Accordingly, in light of above discussion and considering the above settlement between the parties and the chances of conviction of the petitioner 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. 387/2021 registered under Section 354A IPC and Section 12 POCSO Act, at PS Preet Vihar and proceedings emanating therefrom are quashed.

10. Parties shall abide by the terms of settlement.

11. Accordingly, the petition is disposed of. Pending application is disposed of as infructuous.

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

ANISH DAYAL, J

DECEMBER 17, 2024/sm/sc