



\$~67

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

+ **CRL.M.C. 1397/2025**

NITIN SETH

.....Petitioner

Through: Mr. Anil Sethi and Mr. Samarth Rai
Sethi, Advocates alongwith petitioner
in person.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for the
State with Ms. Mansi Sharma,
Advocate.
W/SI Priyanka, P.S. Janakpuri.
Mr. Gagan Bhatnagar, Mr. Ankit Rana
Mr. Deepak Chillar and Mr. Rahul
Prashar, Advocates for R-2 alongwith
R-2 in person along with her husband.
W/SI Priyanka, P.S. Janakpuri.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

04.03.2025

%

1. This hearing has been done through hybrid mode.

CRL.M.A. 6210/2025 (exemption)

2. Allowed, subject to all just exceptions. The application is disposed of.

CRL.M.C. 1397/2025

3. The present petition under Section 528 of the BNSS (Section 482 of the Cr.P.C.) seeks quashing of FIR No. 283/2019 under Sections 354/354A/509 of the IPC, registered at P.S. Janak Puri and all other consequential proceedings emanating therefrom, including the chargesheet pending before



the court of Ms. Vaishali Singh, learned Judicial Magistrate First Class, Mahila Court-05, South-West, Dwarka Courts, Delhi.

4. Learned counsel appearing on behalf of the petitioner submits that during the pendency of the proceedings, the latter has settled the matter with respondent no. 2 *vide* Memorandum of Understanding dated 20.02.2025 and in pursuance of which respondent no. 2 has no objection, if the present FIR and the subsequent chargesheet are quashed.

5. Petitioner and complainant/respondent no. 2 are present before the Court and have been duly identified by the Investigating Officer, W/SI Priyanka, P.S. Janak Puri.

6. The matter was also placed before the learned Joint Registrar who has recorded the statements of both the parties and passed the following order dated 25.02.2025:

“Today, statement of Respondent no. 2 has been recorded to ascertain the veracity and the genuineness of the parties entering into settlement.

Respondent no. 2 lodged, FIR No. 283/2019, Under Section 354/354-A/506 IPC registered at PS Janakpuri, Delhi against the petitioner.

Now, Respondent no. 2 has voluntarily and without any pressure or coercion from anyone settled all her issues and disputes with the petitioner and out of her free will have entered into compromise/MOU/Settlement dated 20.02.2025 which is on record as Annexure P-3 at page no. 51 to 54 bearing her signatures, but the same have been masked to prevent revealing of her identity. It is stated by the respondent that the FIR was registered due to some misunderstanding and miscommunication which now stands resolved without any monetary or any other consideration.

Respondent no. 2 states that she does not wish to pursue FIR No. 283/2019, Under Section 354/354-A/506 IPC registered at PS Janakpuri, Delhi against the petitioners. Respondent no. 2 has given her affidavit of entering into settlement which is at page 15 bearing her signatures. Respondent no. 2 undertakes to cooperate in quashing of the abovesaid FIR. Respondent no. 2 undertakes to withdraw all/any proceedings instituted by her against the petitioner regarding the incident qua which the abovesaid FIR was registered and undertake not to file any other civil or criminal proceedings regarding the incident qua which the



abovesaid FIR was registered.

Respondent no. 2 has been identified by her counsel.

This pre verified report along with the petition may be placed before the Hon'ble Court on **04th March, 2025** alongwith the statements recorded today.”

7. The Court has also interacted with respondent no. 2 and her husband in chamber and they submit that they have entered into a compromise voluntarily with the petitioner and have no objection if the present FIR and the consequential proceedings emanating therefrom including the chargesheet are quashed.

8. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR and the consequential proceedings arising therefrom including the chargesheet are quashed, subject to cost.

9. In *Gian Singh vs. State of Punjab*, (2012) 10 SCC 303, the Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

“61. ... In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.”

10. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 283/2019, under Sections 354/354A/509 of the IPC, registered at P.S. Janak Puri and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Vaishali Singh, learned Judicial Magistrate First Class, Mahila Court-05,



South-West, Dwarka Courts, Delhi.

11. In the interest of justice, the petition is allowed, and the FIR No. 283/2019, under Sections 354/354A/509 of the IPC, registered at P.S. Janak Puri and all other consequential proceedings emanating therefrom, including the chargesheet pending before the court of Ms. Vaishali Singh, learned Judicial Magistrate First Class, Mahila Court-05, South-West, Dwarka Courts, Delhi, are hereby quashed, subject to cost of Rs. 1,00,000/- to be deposited by the petitioner with the Delhi State Legal Services Authority (DSLISA) within a period of 10 working days from today. The amount so deposited shall be utilized by the DSLISA for providing counselling/psychological support to POCSO victims requiring such assistance.

12. A copy of this order be communicated to the Member Secretary, DSLISA for necessary information and compliance.

13. Petition is allowed and disposed of accordingly.

14. Pending application(s), if any, also stands disposed of.

AMIT SHARMA, J

MARCH 4, 2025/bsr/Pc

[Click here to check corrigendum, if any](#)