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

+ **CRL.M.C. 2676/2025**

SAQIB AHMED AND ORS

.....Petitioner

Through: Mr. Rashid Hashmi, Advocate for
petitioner nos. 1 to 3.
Mr. Gaurav Gupta and Ms. Rupal
Gupta, Advocate for petitioner no. 4.
Petitioners in person.

versus

STATE OF NCT OF DELHI AND ORS & ORS.Respondents

Through: Mr. Sanjeev Sabharwal, APP for the
State with Ms. Mansi Sharma,
Advocate.
SI Rajnandini, P.S. Hauz Qazi and SI
Arti, Vigilance West.
Respondent no. 2 and 3 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **20.05.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A. 12023/2025 (exemption)

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

CRL.M.A. 12024/2025 (delay)

3. The application under Section 528 of the BNSS seeks condonation of delay of 100 days in refilling the present petition.

4. In view of the averments made in the application, the same is allowed and disposed of.

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5. Delay of 100 days in re-filing the present petition is condoned.

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6. The present petition filed under Section 528 of the BNSS seeks quashing of FIR No. 115/2019, under Sections 354/354C/354D/506/34 of the IPC and Sections 8/12/21 of the POCSO Act, and Sections 66/66C of the IT Act, 2000, registered at P.S. Hauz Qazi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Sh. Rajesh Kumar, learned Additional Sessions Judge, POCSO, Tis Hazari Courts, Delhi.

7. Learned counsel appearing on behalf of the petitioners submit during the pendency of the proceedings, the parties have arrived at a settlement *vide* memorandum of Understanding dated 24.09.2024 and in pursuance of the said MoU, respondent nos. 2 and 3 have no objection, if the present FIR along with subsequent chargeheet is quashed. It is further submitted that respondent no. 2 is now 21 years old and at the time of registration of FIR she was 15 years old. It is pointed out that the chargesheet in the present case has been filed, and presently, the matter is at the stage of consideration on point of charge.

8. Petitioners and respondent nos. 2 and 3 are present before the Court and have been duly identified by the Investigating Officer, S SI Rajnandini, P.S. Hauz Qazi.

9. The matter was also placed before the learned Joint Registrar who has recorded the statements of both the parties and passed the following order on 23.04.2025: -

“1. The present non contentious petition has been filed by the petitioners under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for quashing of the FIR NO. 115/2019 Under Sections 354, 354C, 354D, 506 of the Indian Penal Code registered

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at P.S. HAUZ QAZI and Section 8 OF POCSO, 2012 on the basis of settlement arrived at between the parties.

2. As per the submissions, the matter between the petitioners and R-2 & 3 has been amicably settled.

3. Vide separate statement recorded in this behalf, petitioners stated that dispute between them and R-2 & 3 has been amicably settled as per the settlement deed dated 24.09.2024. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. They have signed the settlement deed with their wish and will. Vide separate statement recorded in this behalf, R-2 & 3 stated that dispute between R-2 & 3 and petitioners has been amicably settled as per the settlement deed dated 24.09.2024. The settlement has been arrived at between the parties herein without any force, coercion, undue influence and pressure. The settlement deed has been signed with wish and will.

4. Investigating Officer is present in Court and has duly verified the identity of both the parties. Separate statement of Investigating Officer has also been recorded.

5. The parties along with their counsels have confirmed that the settlement deed has been duly entered into between them.

6. Learned counsel for State/APP enters appearance and accepts notice. He submits that in view of the statement recorded, let the matter be placed before the Hon'ble Court.

7. The compromise/settlement deed is in writing and has been duly signed by both the parties. I have heard both the parties and from the direct dialogue with both the parties, it is observed that the consent of both the parties is found to be genuine and has not been obtained under undue influence or pressure.

8. In view of the above, matter be placed before the Hon'ble Court on 20.05.2025.”

10. Respondent nos. 2 and 3 state that the matter has been settled with the petitioners and they have no objection if the FIR is quashed.

11. In *Gian Singh v. 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

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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.”

12. 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.115/2019, Under Sections 354/354C/354D/506/34 of the IPC and Sections 8/12/21 of the POCSO Act, and Sections 66/66C of the IT Act, 2000, registered at P.S. Hauz Qazi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Akanksha, learned Metropolitan Magistrate, Mahila Court (West), Tis Hazari Courts, Delhi.

13. In the interest of justice, the petition is allowed, and the FIR No. 115/2019, under Sections 354/354C/354D/506/34 of the IPC and Sections 8/12/21 of the POCSO Act, and Sections 66/66C of the IT Act, 2000, registered at P.S. Hauz Qazi and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Akanksha, learned Metropolitan Magistrate, Mahila Court (West), Tis Hazari Courts, Delhi, is hereby quashed.

14. Petition is allowed and disposed of accordingly.

15. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

MAY 20, 2025/bsr

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

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