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

+ **CRL.M.C. 5894/2024**

SH DHARAM PAL

.....Petitioner

Through: Mr. Umang Tyagi, Mr. Roshan Lal,
Mr. Manish Kumar, Ms.Nikita
Anand, Advocates along with
petitioner in person.

versus

THE STATE GOVT OF NCT OF DELHI

.....Respondent

Through: Mr. Digam Singh Dagar, APP for the
State with SI Manisha, PS Punjabi
Bagh
Respondent no. 2 in person along
with her mother.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

17.01.2025

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CRL. M.A. 22543/2024 (exemption)

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

CRL.M.C. 5894/2024

3. The present petition has been filed under Section 528 of BNSS, 2023 seeking quashing of FIR No. 701/2022 under Sections 354/506 IPC read with Section 10 POCSO Act registered at Police Station Punjabi Bagh, West District, New Delhi along with all other proceedings emanating therefrom on the ground that the parties are closely related to each other and the present FIR is an outcome of a family dispute.



4. The petitioner is present in Court. Likewise, the victim along with her mother is also present in Court. They have been identified by the I.O/ SI Manisha, Police Station Punjabi Bagh, New Delhi. On a query posed by the Court, the victim's mother states that the petitioner is real uncle of the victim.

5. Learned counsel appearing for the petitioner submits that there was a matrimonial dispute between the victim's mother and her father and there used to be regular fights in the family and when the petitioner intervened in the dispute, the present FIR came to be registered under misunderstanding. He submits that there was also a case registered by the victim's mother against her husband under Section 498A IPC. He further submits that victim's mother has also withdrawn the said case against her husband.

6. The parties have arrived at a settlement, the terms whereof have been reduced into writing the in form of a Compromise Deed dated 26.02.2024, a copy of which is annexed as Annexure-B to the present petition.

7. The victim's mother is present in Court along with respondent no. 2. On a query posed by the Court, she affirms the factum of settlement and states that petitioner is younger brother of her husband. She also states that the aforesaid FIR is an outcome of an misunderstanding and an offshoot of a marital discord, which stands resolved. She further states that she has no objection in case the aforesaid FIR is quashed

8. The present case appears to be an outcome of matrimonial dispute between the parents of the victim, which stands resolved. Further, in view of the settlement between the parties, the ultimate chances of conviction in the case are bleak, therefore, continuation of criminal proceedings will not serve any useful purpose and it will be an exercise in futility. Rather, it will lead to



acrimony in the family.

9. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

10. Consequently, the petition is allowed and the FIR No. 701/2022 under Sections 354/506 IPC read with Section 10 POCSO Act registered at Police Station Punjabi Bagh, West District, New Delhi alongwith all other proceedings emanating therefrom, is quashed.

11. The petition stands disposed of in the above terms.

VIKAS MAHAJAN, J

JANUARY 17, 2025

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