



\$~36

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

+ CRL.M.C. 5593/2025 and CRL.M.A. 24003/2025

HITESH JAGERAM SHARMA

.....Petitioner

Through: Mr. Sobhik Tanwar, Advocate with
petitioner in person

versus

STATE (NCT OF DELHI) AND ORS

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the
State with SI Khubhboo, PS – G.K.
Mr. Attin Shankar Rustogy, Mr. Adil
Vasudeva and Mr. Kanishka,
Advocates for respondents no. 2 and 3
along with respondents no. 2 and 3 in
person.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

14.08.2025

%

1. Petitioner herein seeks quashing of an FIR No. 312/2020 dated 08.07.2020 for alleged offences under Sections 354 (D) IPC, Section 12POCSO Act and 67 IT Act, registered at P.S. Greater Kailash, New Delhi, and all other consequential proceedings arising therefrom, on the basis of the compromise between the parties.

2. Respondent No.2, Father of the prosecutrix/ Respondent No. 3, lodged the FIR in question alleging that her minor daughter was receiving vulgar messages on her mobile from some unknown persons. Subsequently, charge sheet has been filed and Section 67 of IT Act has been added.



3. Learned counsel for the petitioner submits that the parties have amicably settled the dispute by the way of a Memorandum of Understanding dated 09.07.2025 and agreed for quashing of the FIR in question and proceedings arising therefrom. Learned counsel also submits that the petitioner, 19-20 years old then, owing to youthful immaturity and poor judgement, unwittingly got involved in the incident in question. Petitioner was never arrested during investigation and fully cooperated with the process of law. The charge sheet has already been filed and charges framed by the learned ASJ, Saket Courts, New Delhi.

4. Learned counsel further submits that the petitioner has since completed his MBA, is presently gainfully employed with a private company, and is now about 26 years of age. He has maintained an unblemished record thereafter and has shown genuine remorse for his actions, including a public and unconditional apology tendered by him, which was graciously accepted by Respondent Nos. 2 and 3. He further submits that, in order to avoid the futility of prolonged litigation and to put quietus to the matter, the parties have executed a Memorandum of Understanding, wherein Respondent Nos. 2 and 3 have expressed their intent not to pursue the case further and have no objection to quashing of the FIR and ensuing proceedings.

5. Parties are present in person in Court and I have interacted with the complainant. She states that she is 20 years old and is fully capable of taking her own decisions and has entered into the settlement on her own free will without any coercion and duress. She submits that at the time of incident, she was a minor and the complaint was instituted by her father being the natural guardian. She states that due to certain miscommunication between



her and her father, allegations were levelled in the FIR which resulted in invocation of the harsh penal provisions. She now realizes the adverse consequences of the allegations and is regretful of not being aware of the same. She does not wish to press any charges against the petitioner. She also submits that the petitioner later expressed remorse on his conduct and also apologized to her due to which she has condoned his act of indiscretion.

6. Learned APP opposes the quashing petition stating that any indulgence from this Court would give wrong signal to the society at large.

7. In the aforesaid backdrop, I have heard learned counsel for the petitioner and respondents as well perused the material on record.

8. Given that the dispute has been resolved, continuing with criminal proceedings may serve no useful purpose. It would be a drain on judicial resources and abuse of the process of law, especially when dispute does not involve any public interest or interest of the society at large. Continuation of the proceedings, on the other hand, may result in hostility between the parties and defeat the very purpose of the settlement, particularly when the victim and complainant both do not wish to pursue the case.

9. Quashing the FIR would rather facilitate the parties in maintaining and restoring cordiality. Reference may be had to the judgement rendered in ***Gian Singh v. State of Punjab & Anr. [(2012) 10SCC 303]*** in this context. Therefore, the proceedings deserve to be quashed in the exercise of the inherent powers of the Court.

10. In the premise, in exercise of inherent powers to prevent the abuse of process of law, the present petition is allowed, and FIR No. 312/2020 dated 08.07.2020 registered at P.S. Greater Kailash, New Delhi, and all consequential proceedings arising therefrom, are hereby quashed.



11. Pending application, if any, also stands disposed of.

ARUN MONGA, J

AUGUST 14, 2025

kd