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

+ **CRL.M.C. 6995/2023**



..... Petitioner

Through: Mr. Gurmukh Singh Arora,  
Mr. Aman Garg, Mr. Vansh Bajaj, Mr. Saurabh  
Gaubha, Mr. Sahil Madan and Mr. Kapil Madan,  
Advocates for Petitioner-in-person.

versus

STATE NCT OF DELHI AND ANR ..... Respondents

Through: Mr. Hemant Mehla, APP for State  
with SI Sita Ram, PS Karawal Nagar.  
Mr. Shailendra Pratap Singh, Ms. Muskan  
Malhotra and Mr. Rajat Tanwar, Advocates for  
R-2 with Complainant in person.

**CORAM:**  
**HON'BLE MS. JUSTICE JYOTI SINGH**

**ORDER**  
**26.09.2023**

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**CRL. M.A. 26110/2023 (Exemption)**

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

**CRL.M.C. 6995/2023**

3. This petition has been filed under Section 482 Cr.P.C. read with Article 227 of the Constitution of India seeking quashing of FIR No.561/2018 dated 03.12.2018 under Sections 354/354A/354D and 506 IPC read with Section 12 of the Protection of Children from Sexual Offences Act, 2012 (POCSO) registered at PS Karawal Nagar, Delhi including all proceedings emanating therefrom, in view of settlement between the parties,



terms of which have been incorporated in a Memorandum of Settlement dated 05.07.2023.

4. Memorandum of Settlement entered into and executed between the parties is filed along with the petition as Annexure A-4. Respondent No. 2 (Prosecutrix) is present in Court and has been identified by her counsel and the IO SI Sita Ram, PS Karawal Nagar. Respondent No. 2 states that the matter has been settled and she does not wish to pursue the criminal proceedings and thus has no objection if the FIR is quashed.

5. Issue notice.

6. Learned APP for the State accepts notice and submits that in view of the settlement between the parties, no useful purpose will be achieved in continuing with the proceedings.

7. In view of the fact that parties have amicably resolved their disputes and differences out of their own free will, volition and without any coercion, no useful purpose will be served in continuing the proceedings and rather may create further acrimony between the parties. The possibility of conviction of the Petitioner is also remote and bleak and if the criminal proceedings continue, it would amount to an unnecessary burden on the State machinery and public exchequer as also would be an abuse of the process of Court. This Court finds no impediment in quashing the FIR and is supported in its view by the orders of the Co-ordinate Benches in *Naeem @ Pappu v. The State (NCT of Delhi) and Anr., W.P. (Crl.) No. 204/2021* dated 24.03.2021 and *Rohan Pandey v. State through SHO PS Palam Village and Anr., CRL.M.C. No. 5392/2023* dated 21.09.2023 relied upon by the counsel for the Petitioner, where on the basis of settlements arrived at between the parties, FIRs under similar provisions of law were quashed.



8. No doubt, parties have willingly settled the matter but it is equally undisputed that State machinery has been utilized starting from registration of FIR to several hearings before the Trial Court and therefore, Petitioner must be put to some terms. Petitioner submits that he is not in a financial position to pay cost and volunteers to render social service at Shree Hanuman Mandir at Connaught Place, Delhi for 40 days commencing from 27.09.2023 for two hours each day. Petitioner will remain in touch with the concerned IO, who will monitor from time to time and file a report after 40 days.

9. Petition stands disposed of in the aforesaid terms.

**JYOTI SINGH, J**

**SEPTEMBER 26, 2023/shivam**