
(2019) 07 DEL CK 0127

In the Delhi High Court

Case No : Criminal Miscellaneous Case No. 5908 Of 2018

Baljeet Singh @ Shanky

APPELLANT

Vs

State & Anr

RESPONDENT

Date of Decision : 11-07-2019

Acts Referred:

Indian Penal Code, 1860 — Section 354, 354D, 363, 506, 509
Protection Of Children from Sexual Offences (POCSO) Act, 2012 — Section 12

Citation : (2019) 07 DEL CK 0127

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Advocate : Rakesh Pal Singh, Meenakshi Dahiya

Final Decision : Allowed

Judgement

Sanjeev Sachdeva, J

1. Petitioner seeks quashing of FIR No.94/2016, initially registered under Sections 354/354D/506/509 IPC and Section 12 POCSO, Police Station

Geeta Colony. Charge has been framed by order dated 25.05.2017 under Sections 363/354/354D/506/509 IPC. No charge has been framed under

Section 12 POCSO.

2. Parties have settled their disputes.

3. Petitioner as well as respondent No.2 are the first cousin being children of two real brothers. The prosecutrix/victim on the day of the alleged

incident was aged about 17 years and 4 months. They were also friends.

4. Respondent No.2, who is present in Court in person and identified by the Investigating Officer and also accompanied by her mother, submits that

she has settled with the petitioner with a view to restore family ties and has no

objection to the quashing of the subject proceedings.

5. Respondent No.2 has also filed her affidavit in support of the petition stating that she has settled the disputes with the petitioner and his family and

has no objection to the quashing of the subject FIR. Even a Compromise Deed dated 30.09.2018 has been annexed with the petition where the

petitioner has undertaken not to harass the respondent No.2 and her family.

6. Petitioner, who is present in Court in person, undertakes that he shall abide by the settlement terms. The undertaking is accepted.

7. In view of the fact that parties are related being first cousins, the disputes between the parties have been settled and a compromise deed dated

30.09.2018 has been executed, I am of the view that it is a fit case for quashing of the subject FIR to restore family peace and harmony.

8. In view of the fact that the disputes between the petitioner and respondent no. 2 have been settled, continuation of criminal proceedings will be an

exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of

justice being the ultimate guiding factor. It would be expedient to quash the subject FIR and the consequent proceedings emanating therefrom.

9. In view of the above, the petition is allowed. FIR No.94/2016 under Sections 363/354/354D/506/509 IPC registered at Police Station Geeta Colony

and the consequent proceedings emanating there from are accordingly quashed.

10. Order Dasti under signatures of the Court Master.