
(2018) 10 DEL CK 0116

In the Delhi High Court

Case No : Criminal Miscellaneous CaseNo.5104 OF 2018

Nitin

APPELLANT

Vs

State & Anr

RESPONDENT

Date of Decision : 05-10-2018

Acts Referred:

Indian Penal Code, 1860 — Section 354C, 354D, 506, 509

Citation : (2018) 10 DEL CK 0116

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Final Decision : Allowed

Judgement

SANJEEV SACHDEVA, J

CrI. M.A. 33657/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 5104/2018 & CrI. M.A. 33658/2018

1. Petitioner seeks quashing of FIR No. 382 of 2016 under Sections 354C/354-D/506/509 of the IPC registered at Police Station Bharat Nagar, Delhi,

based on a settlement. Â

2. Subject FIR was registered consequent to the complaint lodged by respondent No.2 alleging that the petitioner, who has known to her for the last

3/4 months, was sending obscene messages and threatening her and her family members.

3. Learned counsel for the parties submit that the parties have settled their disputes through the process of mediation held at Delhi Mediation Centre,

Rohini Courts and Settlement Agreement dated 03.08.2018 has been executed.

4. Petitioner is present in Court in person. He has regretted his conduct and apologised to respondent no. 2. He undertakes and assures that he shall

not repeat his conduct in future. The undertaking is accepted.

5. Respondent No. 2 is present in Court in person and is identified by the Investigating Officer. She submits that she has settled the disputes with the

petitioner and does not wish to prosecute the complaint any further and has no objection to the quashing of the subject FIR.

6. In view of the fact that the parties have resolved their disputes and respondent No. 2 does not wish to press her complaint, 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 there from.

7. In view of the above, the petition is allowed. FIR No. 382 of 2016 under Sections 354C/354-D/506/509 of the IPC registered at Police Station

Bharat Nagar, Delhi and the consequent proceedings emanating there from are quashed, subject to the petitioner depositing costs of Rs.7500/- with

the Chief Minister's Distress Relief Fund (CMDRF), Kerala, within a period of two weeks from today. Receipt of deposit of the costs

imposed by this Order be furnished to the concerned Investigating Officer within a period of three weeks from today.

8. Order Dasti under the signatures of the Court Master.