

\$~49

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

+ **W.P.(CRL) 116/2022**

**MANOJ KUMAR**

..... Petitioner

Through Mr. Dishant Sharma, Advocate  
(D/922/05) along with the petitioner

versus

**STATE (GOVT. OF NCT OF DELHI) & ANR.** ..... Respondents

Through Mr. Rajesh Mahajan, ASC for the  
State with Ms. Jyoti Babbar,  
Advocate and SI Neelam, PS GTB  
Enclave  
Mr. Rajesh Sharma, Advocate  
(D/154/94)

**CORAM:**

**HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

**ORDER**

%

**20.01.2022**

**HEARD THROUGH VIDEO CONFERENCING**

1. This petition under Section Article 226 of the Constitution of India read with Section 482 Cr.P.C is for quashing FIR No.334/2016 dated 03.08.2016 registered at Police Station Gandhi Nagar for offences under Section 354/506/342 IPC, on the ground that the parties have amicably settled the dispute.
2. The allegation in the FIR is that on 26.07.2016, when the complainant went to the bathroom, the accused/petitioner herein, who is the land-lord, came there and groped the complainant and kissed her forcefully. It is stated that due to fear the complainant didn't make any noise and went to her room.

It is stated that on 28.07.2016 again the petitioner herein misbehaved with the complainant and tried to outrage her modesty.

3. This petition has been filed primarily on the ground that the complainant and the petitioner have decided to settle the matter. The complainant has filed an affidavit (page number 17 of the paperbook) stating that all the disputes between the complainant/respondent No.2 and the petitioner have been settled. A settlement deed dated 13.04.2019 has been placed on record (Annexure - P-2).

4. Today, the petitioner and the complainant/respondent No.2 have joined the proceedings. The parties have been identified by their respective counsels and the Investigating Officer - SI Neelam, PS Gandhi Nagar. The complainant states that the petitioner has sought for her forgiveness and that the complainant has forgiven the petitioner for his misdeeds and she does not intend to proceed with the matter any further.

5. In view of the above, this court is of the opinion that that no useful purpose will be served in continuing with the present proceedings. Resultantly, FIR No.334/2016 dated 03.08.2016 registered at Police Station Gandhi Nagar for offences under Section 354/506/342 IPC and the proceedings emanating therefrom are hereby quashed.

6. Looking at the facts of the case and the conduct of the petitioner, this Court is inclined to direct the petitioner to do some community service to atone for his sins. He is also warned not to repeat such actions in the future.

7. Accordingly, the petitioner is directed to do community service at Lok Nayak Jai Prakash Narayan Hospital on every Saturday and Sunday for one month i.e. from 01.02.2022 to 02.03.2022. He shall report to the Medical Superintendent, Lok Nayak Jai Prakash Narayan Hospital on 01.02.2022.

8. This Court is also inclined to impose cost of Rs.35,000/- on the petitioner. The amount shall be paid to the '*Armed Forces Battle Casualties Welfare Fund*'. Copy of the receipt be filed with the Registry within three weeks from today to show compliance of the order.
9. After completion of one month, a certificate from the Medical Superintendent, Lok Nayak Jai Prakash Narayan Hospital, be also filed to show compliance of the order. In case of any absenteeism/default or any misbehaviour on the part of the petitioner, the same shall be conveyed immediately by the Medical Superintendent, Lok Nayak Jai Prakash Narayan Hospital, to the concerned SHO, who shall in turn inform the learned ASC for the State, for bringing the same to the notice of the Court and for seeking recall of the orders passed today.
10. With the above directions the petition is disposed of.
11. A copy of this order be transmitted to Medical Superintendent, Lok Nayak Jai Prakash Narayan Hospital.

**SUBRAMONIUM PRASAD, J**

**JANUARY 20, 2022**

*Rahul*