



2025:DHC:7799



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

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Date of decision: 08.09.2025

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CRL.M.C. 6307/2025 & CRL.M.A. 26671/2025 EXEMPTION
DR. KAMAL RAWALPetitioner

Through: Ms. Ruchi Batra, Advocate.

Petitioner in person.

versus

STATE NCT OF DELHI AND ANR. ... Respondents

Through: Ms. Kiran Bairwa, APP with SI
Anil Kumar, PS- Hazrat
Nizamuddin.Mr. Shekhar and Ms. Preeti,
Advocates for R-2.

Respondent No. 2 in person.

CORAM:-**HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT(ORAL)****RAVINDER DUDEJA, J.**

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 32/2021, dated 29.01.2021, registered at P.S Hazrat Nizamuddin, Delhi under Sections 354/354(B)/354(A) IPC and all proceedings emanating therefrom on the basis of settlement between the parties.

2. Respondent no. 2 worked for 3 years with petitioner. As per allegations made in the FIR, Complainant alleged that during a thyroid treatment consultation, petitioner, a Doctor, lifted her bra, touched her



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breasts and put his mouth on her nipples. Chargesheet has since been filed under sections 354/354(B)/354(A) IPC. It is submitted that vide order dated 14.08.2024 the Ld. JMFC (Mahila Courts)-02/SED/Saket, New Delhi framed charge only under section 354A IPC, thereby discharging petitioner from sections 354/354B IPC.

3. During the course of proceedings, the parties amicably resolved their disputes and executed a Memorandum of Understanding dated 22.08.2025. Copy of the Memorandum of Understanding dated 22.08.2025 has been annexed as Annexure 3.

4. Parties are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer SI Anil Kumar, from PS Hazrat Nizamuddin.

5. Respondent no. 2 confirms that the matter has been amicably settled with the petitioner without any force, fear, coercion and she has no objection if the FIR No. 32/2021 is quashed against the petitioner.

6. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 32/2021 is quashed.

7. In *Gian Singh vs State of Punjab (2012) 10 SCC 303*, Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-



"61. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceedings."

8. Further, it is settled that the inherent powers under section 482 of the Code are required to be exercised to secure the ends of justice or to prevent abuse of the process of any court. Further, the High Court can quash non-compoundable offences after considering the nature of the offence and the amicable settlement between the concerned parties. Reliance may be placed upon *B.S. Joshi v. State of Haryana, (2003) 4 SCC 675*.

9. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion. Hence, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto.

10. The petition is allowed, and the FIR No. 32/2021, dated 29.01.2021, registered at P.S Hazrat Nizamuddin, Delhi under section 354/354(B)/354(A) IPC and all the other consequential proceeding emanating therefrom is hereby quashed, subject to petitioner depositing Rs. 25,000/- as cost with Delhi High Court Advocates



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Welfare Trust [bearing Account No. 15530210002995] within a period of one month.

11. Petition is allowed and disposed of accordingly.
12. Pending application(s), if any, also stand disposed of.

RAVINDER DUDEJA, J

September 08, 2025
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