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

+ CRL.M.C. 5857/2018 & CRL.M.A. 47704/2018

DHEERAJ SINGH & ANR

.... Petitioners

Through: Mr.Sudhir Nandrajog, Sr. Adv.
with Mr.Utkarsh Goel, Adv.

versus

STATE & ANR.

.... Respondents

Through; Mr.Panna Lal Sharma, APP
along with ASI Chander Bhan,
PS Dwarka Sector-23, Delhi
R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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27.11.2018

CRL.M.A. 47704/2018 (for exemption)

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

CRL.M.C. 5857/2018

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.818/2008 dated 05th December, 2008 under Sections 420/468/471/511/120B of the Indian Penal Code, 1860, registered at Police Station Sector-23, Dwarka, Delhi and the proceedings emanating therefrom.
2. Petitioners and respondent No.2, present in the Court, submitted

that they have settled their matter before the Mediation Centre, Dwarka Courts, Delhi vide settlement deed dated 10th February, 2017, in terms whereof the petitioners were required to make a total payment of Rs.43 lacs, out of which petitioners have already paid an amount of Rs.38 lacs to the respondent No.2. The petitioners have handed over a demand draft of Rs.5 lacs bearing No.25380 dated 27th November, 2018 to the respondent No.2 in the Court today.

3. Respondent No.2 submitted that the settlement has been arrived at between the parties on their own free will without any force and coercion. Respondent No.2 further submitted that in view of the payment of the balance amount of Rs.5 lacs today in Court, the aforesaid FIR may be quashed and the petition may be allowed.

4. In view of the aforesaid circumstances and the settlement arrived at between the parties before the Mediation Centre, this Court is of the view that no fruitful purpose would be served in keeping the parties entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR No.818/2008 dated 05th December, 2008 under Sections 420/468/471/511/120B of the Indian Penal Code, 1860, registered at PS:Sector-23, Dwarka, Delhi and the proceedings emanating therefrom are quashed, subject to the condition that the petitioners shall deposit within a week a sum of Rs.50,000/- with the Delhi Police Martyr's Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 and costs of Rs.25,000/- to be deposited in the Delhi High Court Staff Welfare Fund and a receipt of the said deposits be filed in the Registry within ten days with a copy

to the I.O. In case the petitioner fails to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders.

5. Petition is disposed of in above terms.

Dasti.

CHANDER SHEKHAR, J

NOVEMBER 27, 2018/da