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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5906/2018**

SHOAIB ALI

..... Petitioner

Through: Mr. S. Hasan Zaidi, Advocate

versus

STATE OF DELHI & ANR

.... Respondents

Through: Mr. Kamal Kumar Ghai, APP
with ASI Ali Haider,
PS:Jagatpuri, Delhi

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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26.11.2018

CRL.M.A.47886 /2018

Allowed, subject to all just exceptions. The application is disposed of.

CRL.M.C. 5906/2018

1. The petitioner has moved the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.159/2018, under Section 324 of the Indian Penal Code, 1860, registered at PS:Jagatpuri, Delhi.

2. The petitioner as well as respondent No.2 submitted that they have settled the matter *inter se* between themselves vide Settlement Deed dated 29.10.2018 and they now want to live a peaceful and happy life.

3. The Investigating Officer ('IO'), who is present in Court,

has identified the petitioner as well as respondent No.2 and the IO has also verified the settlement effected between the parties. On a query from the Court, the IO has stated that the petitioner has no previous criminal antecedent, except the present FIR.

4. Respondent No.2 submitted that the settlement has been effected on his own free will, without any force, pressure or coercion and he has no objection to the petition being allowed and the quashing of the FIR.

5. In view of the aforesaid circumstances and the settlement arrived at between the parties, 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. 159/2018, under Section 324 of the Indian Penal Code, 1860, registered at PS:Jagatpuri, Delhi is quashed. However, the petitioner will deposit a sum of Rs.5,000/- with the Delhi Police Martyr's Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 and a receipt of the said sum be filed in the Registry within ten days. In case the petitioner fails to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders.

6. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

NOVEMBER 26, 2018

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