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

+ **CRL.M.C. 6000/2018**

DINESH

..... Petitioner

Through

Mr. Medan Kumar Jha,
Advocate alongwith Petitioner

versus

STATE & ANR

..... Respondents

Through

Mr. Kamal Kishore Ghai, APP
for State

Mr. Gopal Sharma, Advocate
for Respondent no.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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12.12.2018

1. Affidavit of respondent no.2 has been filed.
2. Heard.
3. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No. 55/2012, under Section 354 of the Indian Penal Code, 1860 ('IPC'), registered at PS: Sultan Puri, Delhi and the proceedings emanating therefrom.
4. The petitioner and respondent No.2 who are present in the court submitted that the matter has been settled *inter se* between the parties on their own free will, without any force,

coercion or pressure.

5. Both the parties submitted that they are from the same locality and belong to very poor families. Since the relation between both the families are cordial, they are not interested in the trial of the matter.

6. The petitioner and respondent no.2 further submitted that in consequence of the quarrelling of children on the street some petty dispute arose between the parties and an FIR against the petitioner was lodged. However, the parties have now amicably settled the dispute out of the Court without any coercion, undue influence, consideration or money, on their own free will and consent and they shall live peacefully as good citizens. There is no settlement Deed as the matter has been settled between/in presence of family members mutually.

7. The Investigating Officer ('IO'), who is present in Court, has identified the petitioner as well as respondent No.2 and has also verified the settlement. It is further stated by the IO that no criminal cases are pending against petitioner.

8. The respondent No.2 submitted that in view of the settlement arrived at between the parties, she has no objection to the petition being allowed and the FIR being quashed.

9. 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. 55/2012, under Section 354 of the IPC, registered at PS: Sultan Puri, Delhi and the proceedings emanating therefrom are quashed, subject to the petitioner depositing Rs.2,500/- with the Delhi High Court Advocates Welfare Fund within ten days and a receipt of the same be filed in the Registry of this Court within fifteen days. A copy of the said receipt shall also be handed over to the learned APP through the IO. In case the petitioner fails to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders.

10. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 12, 2018

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