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

+ CRL.M.C. 5803/2018

SUSHIL THAKRAL

..... Petitioner

Through: Mr. Chandra Shekhar and Mr.
M.K. Jha, Advs. with petitioner
in person

versus

STATE (GOVT OF NCT DELHI) & ORS Respondents

Through: Mr. Kamal Kumar Ghei, APP
with ASI Hawa Singh, PS
Nihal Vihar, Delhi
Mr. D.K. Sharma, Adv. for R-2
& 3 with R-2 & 3 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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17.12.2018

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.467/2014, under Section 308 of the Indian Penal Code, 1860 ('IPC'), registered at Police Station Nihal Vihar, Delhi and the proceedings emanating therefrom.

2. The petitioner as well as respondent Nos.2 & 3 and their respective counsel submitted that the parties have amicably settled their matter in terms of Compromise Deed Dated 5.10.2018 on their own free will, without any force or coercion with the intervention of the family members and respectable people of the locality and they are now living peacefully and the petitioner may be given a chance to

live a life without stigma. The petitioner also ensured this Court that he shall not indulge in any criminal activity in future and the present petition may be allowed and the FIR may be quashed.

3. Respondent Nos.2 & 3 reiterated the aforesaid facts and stated that the matter between the parties stands settled on their own free will, without any force or coercion and the parties are now living peacefully and have cordial relations, hence, they do not want to pursue criminal proceedings against the petitioner. Respondent Nos. 2 & 3 further submitted that the petitioner may be given an opportunity to live a peaceful and normal life.

4. Investigating Officer (I.O.) has identified the petitioner as well as respondent Nos.2 & 3 and has also verified about the settlement arrived at between the parties and submitted that the parties are now living peacefully in the area.

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.467/2014 under Section 308 of the IPC, registered at Police Station Nihal Vihar, Delhi and the proceedings emanating therefrom are quashed, subject to the condition that the petitioner shall deposit, within ten days, a sum of Rs.5,000/- with the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 and a receipt of the said deposit be filed in the Registry within 2 weeks and a copy of the said receipt shall also be

handed over to the APP through the I.O. within 2 weeks. 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.

Dasti.

CHANDER SHEKHAR, J

DECEMBER 17, 2018/rk