

\$~5

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

+ **CRL.M.C. 5983/2018**

SHRI RAJESH & ORS. Petitioners
Through Mr. J.M. Akbar, Advocate

versus

STATE & ORS. Respondents
Through Mr. K.K. Ghai, APP for State
with ASI Sushil Kumar, P.S.
Kalyan Puri

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

13.12.2018

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No. 0021/2018, under Sections 308, 341, 34 of the Indian Penal Code, 1860 ('IPC') registered at P.S.: Kalyan Puri, Delhi and the proceedings emanating therefrom.

2. Learned counsel for petitioners as well as learned counsel for respondent no.2 submitted that due to intervention of common friends, relatives and respectable persons of the society, petitioners and respondent no.2 have settled their disputes inter-se between themselves on their own free will, without any force or coercion. Learned counsel for petitioners submitted that petitioners are of young age and they may be

given a chance to improve and live peacefully as good citizens. It is also stated that they shall not fight in future and also shall not get involved in any criminal activity.

3. The respondent No.2 submitted that the settlement has been arrived at between the parties on their own free will, without any force, pressure or coercion and he has no objection to the petition being allowed and the FIR being quashed.

4. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners as well as respondent No.2 and verified that there is no other criminal case is pending against the petitioners.

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. 0021/2018, under Sections 308, 341, 34 IPC registered at P.S.: Kalyan Puri, Delhi and the proceedings emanating therefrom are quashed, subject to the petitioners depositing Rs.10,000/- , out of which Rs. 5,000/- be deposited with the Delhi High Court Advocates' Welfare Fund and the remaining amount of Rs. 5,000/- be deposited with the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 within ten days and receipts of the same be filed in the Registry of this Court within fifteen days and copies of the said receipts shall also be handed

over to the learned APP through the IO. In case the petitioners fail to deposit the aforesaid amount, the prosecution shall be entitled to move an application for passing appropriate orders.

6. Petition is disposed of in the above terms.

CHANDER SHEKHAR, J

DECEMBER 13, 2018

savita