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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6604/2018**

MOHD. RASHID

..... Petitioner

Through: Mr. Javed Ashraf Khan,
Advocate

versus

STATE & ANR.

.... Respondents

Through: Mr. Ashish Dutta, APP

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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21.12.2018

1. The petitioner has moved the present petition under Section 482 of the Code of Criminal Procedure, 1973 (Cr. PC) for quashing of FIR No.194/2013, under Sections 471/420/448/468 of the Indian Penal Code, 1860 ('IPC'), registered at PS:Burari, Delhi and the subsequent proceedings emanating therefrom.

2. Learned counsel for the petitioner and respondent No.2 submitted that the parties have resolved their disputes on their own free will, without any force, will or pressure vide Settlement dated 5.11.2018, in terms whereof the petitioner has paid Rs.2,00,000/- to respondent No.2

3. Respondent No.2, who is present in Court, reiterated and submitted that the Settlement has been effected on his own free

will, without any force, pressure or coercion. Respondent No.2 also submitted that he has received a sum of Rs.2,00,000/- from the petitioner and he has no objection to the petition being allowed and the FIR being quashed.

4. The Investigating Officer ('IO') has identified the petitioner as well as the respondent No.2 and has also verified the settlement arrived at between the parties.

5. In view of the aforesaid circumstances, the settlement arrived at between the parties and the payment of Rs.2,00,000/- received by respondent No.2, 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. 194/2013, under Sections 471/420/448/468 of the Indian Penal Code, 1860 ('IPC'), registered at PS:Burari, Delhi and the subsequent proceedings emanating therefrom are quashed, subject to the petitioner depositing Rs.5,000/- with the Delhi High Court Advocates' Welfare Trust within ten days. The petitioner shall also deposit Rs.5,000/- with Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 within ten days and the receipts of the same be filed in the Registry of this Court within two weeks and copies of the said receipts shall also be handed over to the learned APP through the IO. In case the petitioner fails to deposit the aforesaid amount, the prosecution shall be entitled to move an application

for passing appropriate orders.

6. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 21, 2018

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