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

+ **CRL.M.C. 6388/2018 & CRL.M.A. 49792/2018**

ROBIN

..... Petitioner

Through: Mr. Santosh Singh Bagga, Adv.
versus

THE GOVT OF NCT DELHI & ANR Respondents

Through: Mr.Ashish Dutta, APP with SI
Sunil Kumar, PS IGI Airport

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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17.12.2018

CRL.M.A. 49792/2018 (for exemption)

Allowed, subject to all just exceptions. Application stands disposed of.

CRL.M.C. 6388/2018

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.309/2016, under Sections 419/420/468/471 of the Indian Penal Code, 1860 ('IPC'), registered at Police Station IGI Airport, Delhi and the proceedings emanating therefrom.

2. The petitioner as well as respondent No.2 and their respective counsel submitted that the parties have amicably settled their matter vide Compromise Deed Dated 29.11.2018 on their own free will, without any force or coercion in terms whereof the petitioner had to pay an amount of Rs.8,000/- to the respondent No.2 out of which,

Rs.4,000/- have already been paid and a balance amount of Rs.4,000/- has to be paid by the petitioner.

3. Learned counsel for the petitioner submitted that the petitioner is having no criminal antecedents and taking into consideration his young age, he may be given a chance to live a life without stigma and the present petition may be allowed and the FIR may be quashed.

4. Respondent No.2 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 in case, the petitioner makes a payment of Rs.4,000/- to him in terms of the settlement arrived at between the parties, the present petition may be allowed and the FIR may be quashed.

5. Investigating Officer (I.O.) has identified the petitioner as well as respondent No.2 and has also verified about the settlement arrived at between the parties. I.O. submitted that the petitioner is having no criminal antecedents.

6. The petitioner has paid Rs.4,000/- to the respondent No.2 in cash. Learned counsel for the petitioner submitted that in view of the payment of balance amount, the present petition may be allowed.

7. In view of the aforesaid circumstances and the settlement arrived at between the parties, this Court is of the opinion that a chance of reformation should be given to the petitioner, hence, in the interest of justice, FIR No.309/2016 under Sections 419/420/468/471 of the IPC, registered at Police Station IGI Airport, New 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 with the Delhi High Court Advocates' Welfare Fund 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.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 17, 2018/rk