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

+ **CRL.M.C. 194/2018**

RAKESH ROUYSHAN & ORS

..... Petitioners

Through Mr. Pratap Shankar with Mr. Pushkar
Karni Sinha and Ms. A. Shivani,
Advocates.

versus

GOVT OF NCT OF DELHI & ANR

..... Respondents

Through Mr. Arun Kumar Sharma, APP.
Mr. Awadesh Kumar, Advocate for
respondent No.2.
ASI Anuj Kumar, PS NDRS.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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16.01.2018

CrI.M.A. 798/2018 (exemption)

CrI.M.A. 799/2018 (exemption)

Exemptions are allowed subject to all just exceptions.

CRL.M.C. 194/2018

1. The petitioners, by the present petition, seek quashing of FIR No.115/2007, Police Station New Delhi Railway Station. The chargesheet has been filed under Sections 379/411/420/468/34 IPC.

2. It is contended that the petitioners are in their early 30's and there is no allegation against the petitioners except for the subject FIR No.115/2007 and no other cases are pending against them. The

petitioners are alleged to have pick pocketed the wallet of respondent No.2 and used his Debit Card for purchase of some clothes and other sundry items.

3. Respondent No.2 is present in person and is also represented by his counsel and is identified by the Investigating Officer. He submits that he has settled with the petitioners and does not wish to press charges against them any further.

4. Since the petitioners have expressed remorse and are their 30's and the respondent No.2 does not wish to press charges against the petitioners and prosecute the compliant any further, in my view, it would be expedient, and in the interest of justice to quash the subject FIR No.115/2007, under Sections 379/411/420/468/34 IPC, Police Station New Delhi Railway Station as well as the consequent proceedings arising therefrom.

5. Learned APP submits that, in case, this Court is inclined to exercise discretion, it should be subject to terms.

6. In view of the above, the subject FIR No.115/2007, under Sections 379/411/420/468/34 IPC, Police Station New Delhi Railway Station as well as the consequent proceedings arising therefrom are quashed, subject to the petitioners depositing a cost of Rs.7,500/- each with the *Delhi Child Welfare Fund*", Department of Women and Child Development, 1A, Canning Lane, Kasturba Gandhi Marg, New Delhi, within a period of two weeks from today. Receipt of deposit of the costs imposed by this Order be furnished to the concerned

Investigating Officer within a period of three weeks from today.

7. Order *Dasti* under the signatures of the Court Master.

JANUARY 16, 2018

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SANJEEV SACHDEVA, J