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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6467/2018**
SHAFIQ & ORS. Petitioners

Through: Mr. Vimal Puggal, Adv.

versus

THE STATE & ANR. Respondents

Through: Mr.Panna Lal Sharma, APP
with SI Ashwani Kumar, PS
Jyoti Nagar, Delhi
Mr. Suraj Prakash, Adv. for
R-2 with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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21.12.2018

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.115/2014 dated 19.02.2014 under Sections 326/506/34 of the Indian Penal Code, 1860 (IPC), registered at Police Station Jyoti Nagar, New Delhi and the proceedings emanating therefrom.
2. The petitioners and respondent No.2 as well as the learned counsel for the parties submitted that the parties have settled the matter vide a Settlement/Compromise Deed dated 10.12.2018.
3. The Investigating Officer ('IO'), who is present in Court, has filed a status report stating therein that the petitioner No.1 was previously involved in a criminal case in FIR No.162/2004 dated 18.5.2004 under Sections 363/376/342 of the IPC, registered at Police Station Shahdara and was acquitted in the same. It is further stated in

the status report that except the petitioner No.1, none of the petitioners have any history of criminal case or antecedents against them. The IO has also identified the petitioners as well as respondent No.2 and has also verified the settlement arrived at between the parties.

4. Learned counsel for the petitioners submitted that the petitioners shall not indulge in any criminal activity in future and they may be given a chance to reform and reintegrate into the society as good citizens.

5. Learned counsel for the parties submitted that the parties have entered into the settlement on their own free will, without any force and coercion.

6. Respondent No.2, present in the Court, reiterated the aforesaid facts and submitted that the parties have entered into the settlement on their own free will, without any force or coercion and in terms of the settlement arrived at between them, the petitioners have to pay a sum of Rs.50,000/- to the respondent No.2 towards medical expenses, etc. Respondent No.2 further submitted that in case the petitioners make the payment of Rs.50,000/- to him, he has no objection to the present petition being allowed and quashing of the aforesaid FIR.

7. The petitioners have made a payment of Rs.50,000/- to the respondent No.2 in cash in the Court today. The petitioners have also tendered unconditional apology to the respondent No.2 in the Court.

8. Learned counsel for the parties submitted that in view of the settlement arrived at between the parties and the payment of Rs.50,000/- to the respondent No.2, the present petition may be

allowed and the aforesaid FIR may be quashed.

9. In view of the aforesaid circumstances and the settlement arrived at between the parties, it would be appropriate to give the petitioners a chance of reformation and integration into the mainstream of the society as productive members. Further, 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.115/2014 dated 19.2.2014 under Sections 326/506/34 of the IPC, registered at Police Station Jyoti Nagar, New Delhi and all the consequential proceedings arising out of the FIR are quashed.

10. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 21, 2018/rk