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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6602/2018**

SH. TEJ PRATAP @ TEJU & ORS. Petitioners

Through: Mr. Durgesh Pal, Adv. with
petitioners in person

versus

STATE & ANR. .. Respondents

Through: Mr. Mukesh Kumar, APP with
SI Ravi Rana, PS Bawana
R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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21.12.2018

CRL.M.C. 6602/2018

1. This urgent matter has been listed upon mentioning, as the Regular Bench is on leave.
2. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.640/2014 dated 16.8.2014 under Sections 308/34 of the Indian Penal Code, 1860 ('IPC'), registered at Police Station Bawana, New Delhi and the proceedings emanating therefrom.
3. Learned counsel for the petitioners as well as respondent No.2 submitted that the parties have amicably settled their matter vide Memorandum of Understanding dated 18.12.2018 on their own free will, without any force or coercion with the intervention of the family members and respectable people of the locality and they are now living harmoniously. The petitioners assured the Court that they shall

not fight in future and shall live as good citizens and may be given a chance to live peacefully.

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 the parties are now living peacefully. Respondent No.2 further submitted that in view of the Memorandum of Understanding executed between the parties, the present petition may be allowed and the FIR may be quashed.

5. Investigating Officer (I.O.) has identified the petitioners as well as respondent No.2 and has also verified about the settlement arrived at between the parties.

6. In view of the aforesaid circumstances and the settlement arrived at between the parties and taking into consideration the young age of the petitioners, 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.640/2014 dated 16.8.2014 under Sections 308/34 of the IPC, registered at Police Station Bawana, Delhi and the proceedings emanating therefrom are quashed, subject to the condition that the petitioners shall deposit, within 2 weeks, a sum of Rs.5,000/- with the Advocates' Welfare Fund, Bar Council of Delhi bearing A/c No.010104000269810, UCO Bank, Delhi High Court Branch and a receipt of the said deposit be filed in the Registry within 3 weeks and a copy of the said receipt shall also be handed over to the APP through the I.O. within 3 weeks. In case the petitioners fail to deposit the aforesaid amount, the

prosecution shall be entitled to move an application for passing appropriate orders.

7. Petition is disposed of in above terms.

Dasti.

CHANDER SHEKHAR, J

DECEMBER 21, 2018/rk