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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6400/2019**
SOHRAB GILL & ORS Petitioners

Through: Mr. Surjeet Singh, Advocate

versus

STATE OF NCT OF DELHI & ANR Respondents

Through: Mr. Mukesh Kumar, APP with
SI Kamlesh Kumar, PS:Kalkaji,
Delhi

Mr. Kapil Kishore Kaushik, &
Mr. Praful Kumar Vohra,
Advocates for respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **11.12.2019**

Crl.M.A.42471/2019 (for exemption)

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

CRL.M.C. 6400/2019

1. Issue notice. Notice is accepted by the learned APP for the State as well as by learned counsel for respondent No.2.
2. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.369/2019, under Sections 325/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Kalkaji, Delhi and the proceedings emanating therefrom.

3. The petitioners and respondent No.2 as well as their respective counsel submitted that the parties have settled their disputes on their own free will, without any force or coercion vide Memorandum of Understanding dated 18.11.2019.

4. Respondent No.2 has reiterated the aforesaid facts and submitted that since the matter stands settled and the petitioners have tendered unconditional apology to him and have assured that they shall not indulge in such activities in future, he has now forgiven them and has no objection to the petition being allowed and the FIR being quashed.

5. Learned counsel for the petitioners submitted that the petitioners are ready and willing to contribute a sum of Rs.40,000/- for some social beneficial cause in any trust or association.

6. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners as well as respondent No.2 and has also verified the MoU. The IO also submitted that no other criminal case is pending against the petitioners.

7. In view of the aforesaid circumstances, the settlement arrived at between the parties and taking into consideration the age and socio-economic background of the petitioners, I deem it appropriate to give them a chance to reform and reintegrate into the society as productive members. The petitioners are warned to be careful in future and to not indulge in such activities again. Taking into consideration the remorseful attitude of the

petitioners, this Court is also 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.369/2019, under Sections 325/34 of the IPC, registered at P.S.: Kalkaji, Delhi and the proceedings emanating therefrom are quashed, subject to deposit of Rs.40,000/- by the petitioners within 14 days, out of which Rs.10,000/- be deposited in the High Court of Delhi Middle Income Group Legal Aid Society, UCO Bank, Account No.15530110135488, Rs.10,000/- in the Delhi High Court Staff Welfare Fund SB A/c No.15530110074442 UCO Bank, Delhi High Court, Rs. 10,000/- in the Prime Minister's National Relief and Rs.10,000/- in the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 Fund and receipts of the deposits be filed in the Registry within 21 days. Copy of the receipts shall also be handed over to the APP through the I.O. within one week thereafter. In case the petitioners fail 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 11, 2019

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