

\$~6

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

CRL.M.C. 1146/2019

SH. RAJU

..... Petitioner

Through: Ms. Sonam, Mr. R.K. Gupta &
Mr. Sohrab Khan, Advocates

versus

STATE & ANR.

.... Respondents

Through: Mr. Panna Lal Sharma, APP
with SI Asha Singh, PS: Kirti
Nagar, Delhi

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

06.05.2019

Crl. M.A.4463/2019

Allowed, subject to all just exceptions. The application is disposed of.

Crl. M.A.4464/2019

In view of the cause submitted in the application, delay in re-filing the petition is condoned. Application is disposed of.

CRL.M.C. 1146/2019

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.147/2018, under Sections 323/341/354/354D/506/509 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.:Kirti Nagar, Delhi and the proceedings emanating therefrom.

2. The petitioner and his counsel as well as respondent No.2 submitted that the parties have settled their disputes on their own free will, without any force or coercion vide Compromise Deed dated 1.12.2018.

3. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that since the petitioner has tendered unconditional apology to her and has assured that he shall not indulge in such activities in future, she has now forgiven him and she has no objection to the petition being allowed and the FIR being quashed.

4. Learned counsel for the petitioner submitted that the present petition may be allowed and the FIR may be quashed, subject to any condition that this Court may deem fit and proper.

5. The Investigating Officer ('IO'), who is present in Court, has identified the petitioner as well as respondent No.2 and has also verified the settlement.

6. 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 petitioner, I deem it appropriate to give him a chance to reform and reintegrate into the society as a productive member. The petitioner is warned to be careful in future and not indulge in such activities again in future. Taking into consideration the remorseful attitude of the petitioner, 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. 147/2018, under Sections 323/341/354/354D/506/509 of the IPC, registered at P.S.:Kirti Nagar, Delhi and all the proceedings emanating therefrom are quashed, subject to deposit of a sum of Rs.15,000/- within two weeks by the petitioner, out of which Rs.5,000/- be deposited in the Bharat Ke Veer Corpus Fund, Rs.5,000/- in the Delhi High Court Advocates' Welfare Trust and Rs.5,000/- in the Delhi High Court Staff Welfare Fund, SB A/c No.15530110074442 and the receipts of the deposits be filed in the Registry within two weeks. Copy of the receipts shall also be handed over to the APP through the I.O. within two weeks. In case the petitioner fails to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

MAY 06, 2019

tp