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

+ **CRL.M.C. 5055/2019**

SHRI Y.S. TOMAR

..... Petitioner

Through: Mr. S.S. Wani & Ms. Shilpi
Ganguly, Advocates

versus

STATE & ANR.

..... Respondents

Through: Mr. Amit Chadha, APP with
ASI Jai Kishan, PS: Neb Sarai,
Delhi.
Mr. Vishal Singh & Ms. Jyoti
Bajaj, Advocates for
respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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01.10.2019

CRL.M.A.37514/2019 (for exemption)

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

CRL.M.C. 5055/2019

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0277/2019, under Sections 463/464/467/468/471/474 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.:Neb Sarai, Delhi and the proceedings emanating therefrom.

2. The petitioner 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 as is evident from the proceedings dated 16.9.2019 before the learned Additional District Judge, Saket Courts, New Delhi.

3. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that since the matter has been settled, he has no objection to the petition being allowed and the FIR being quashed.

4. Learned counsel for the petitioner submitted that the petitioner is ready and willing to contribute a sum of Rs.40,000/- for some social beneficial cause and deposit the same in any trust or association.

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. The IO also submitted that no other criminal case is pending against the petitioner.

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. 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. 0277/2019, under Sections 463/464/467/468/471/474 of the IPC, registered at P.S.:Neb Sarai, Delhi and the proceedings emanating therefrom are quashed, subject to deposit of a sum of Rs.40,000/- within two weeks by the petitioner, out of which Rs.10,000/- be deposited in the Bharat Ke Veer Corpus Fund, Rs.10,000/- in the Delhi High Court Advocates' Welfare Trust, Rs.10,000/- in the Prime Minister National Relief Fund and Rs.10,000/- 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

OCTOBER 01, 2019

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