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

+ CRL.M.C. 6051/2019 & CRL.M.A.41264/2019

RIFAYAT ALI @ GUDDU Petitioner

Through: Appearance not given.

versus

THE STATE & ORS Respondents

Through: Ms. Aashaa Tiwari, APP with
ASI Bhupender Singh, P.S.
AVRS Delhi
Ms. Jayaprada Pal, proxy
counsel for R-2 & 3.

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **29.11.2019**

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.187/2015 dated 24.10.2015, under Sections 394/323 of the Indian Penal Code, 1860 ('IPC') and Sections 56/192 & 146/192 of the Motor Vehicles Act, 1988 ('MV Act'), registered at P.S.: Anand Vihar Railway Station, Delhi and the proceedings emanating therefrom.

2. The petitioner and respondent Nos.2 and 3 as well as learned counsel for the parties submitted that the parties have settled their disputes on their own free will, without any force or coercion vide Compromise Deed dated 20.08.2019.

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

4. The Investigating Officer ('IO'), who is present in Court, has identified the petitioner as well as respondent Nos.2 and 3 and has also verified the settlement.

5. Learned counsel for the petitioner submitted that the petitioner is ready and willing to contribute a sum of Rs.10,000/- for some social beneficial cause in any trust or association.

6. In view of the aforesaid circumstances, the settlement arrived at between the parties and taking into consideration the age, career and socio-economic background of the petitioner, I deem it appropriate to give the petitioner a chance to reform and reintegrate into the society as a productive member. The petitioner is warned to be careful in future and to 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.187/2015 dated 24.10.2015, under Sections 394/323 of the IPC and Sections 56/192 & 146/192 of the MV Act, registered at P.S.: Anand Vihar Railway Station, Delhi and the proceedings emanating therefrom are quashed subject to deposit of

Rs.10,000/- by the petitioner within two weeks, out of which Rs.5,000/- be deposited in the Delhi Police Matrys' Fund and Rs.5,000/- in the Delhi High Court Staff Welfare Fund SB A/c No.15530110074442 UCO Bank, Delhi High Court 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 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. Pending application is also disposed of.

CHANDER SHEKHAR, J

NOVEMBER 29, 2019

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