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

+ CRL.M.C. 5530/2019 & CrI.M.As.39219-20/2019

TARUN PAWAR

..... Petitioner

Through Mr. Ankit Agarwal, Adv. with
the petitioner in person
versus

STATE & ANR

.... Respondents

Through Mr. Mukesh Kumar, APP with
ASI Maramuin Singh
Mr. R. Ramachandran, Adv. for
R-2 with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **24.10.2019**

1. Issue notice.
2. Notice is accepted by the learned APP for the State as well as by the learned counsel for the respondent No.2.
3. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0043/2017, under Sections 279/337 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: North Rohini, Delhi and the proceedings emanating therefrom.
4. The petitioner and respondent No.2 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 before the Delhi Mediation Centre, Rohini District Courts, Delhi on 7.9.2019.

5. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that the matter stands settled and in terms of the settlement arrived at between the parties, the petitioner has to pay balance amount of Rs.45,000/- to him. He further submitted that in case the petitioner makes the payment of balance amount to him, he has no objection to the petition being allowed and the FIR being quashed.

6. Learned counsel for the petitioners submitted that the petitioner has brought a demand draft bearing No.281431 dated 21.10.2019 for an amount of Rs.45,000/- which has been handed over to the respondent No.2 today in the Court. Learned counsel for the petitioner submitted that in view of the payment of the balance amount to the respondent No.2, the present petition may be allowed and the FIR may be quashed.

7. 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.

8. Learned counsel for the petitioner submitted that the petitioner is ready and willing to contribute a sum of Rs.25,000/- for some social beneficial cause in any trust or association.

9. 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 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.0043/2017, under Sections 279/337 of the IPC, registered at P.S.: North Rohini, Delhi and the proceedings emanating therefrom are quashed subject to cost of Rs.25,000/- to be deposited by the petitioner within 21 days, 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, Rs.5,000/- with the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820, Rs.5,000/- in the Prime Minister's National Relief 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 28 days. Copy of the receipts shall also be handed over to the APP through the I.O. within 21 days. In case the petitioners fail to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders.

10. Petition is disposed of in above terms. Pending applications are also disposed of.

CHANDER SHEKHAR, J

OCTOBER 24, 2019/rk