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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5289/2019**

**M/S HOMESTEAD INFRASTRUCTURE DEVELOPMENT
PVT. LTD. & ORS. Petitioners**

Through: **Mr. Ajay Kumar Aggarwal,**
Advocate

versus

STATE & ORS. Respondents

Through: **Ms. Aashaa Tiwari, APP with**
SI Amit Kumar, PS:Subhash
Place, Delhi
Mr. Ram Singh Chauhan,
Advocate for respondent Nos.2
& 3

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **24.10.2019**

1. Resolution of the Company stands filed.
2. Special Power of Attorney (SPA) executed by petitioner Nos.3, 4 and 5 in favour of petitioner No.2 is on the record. Respondent No.2 has also executed SPA in favour of respondent No.3.
3. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.48/2018, under Sections 420/406/120-B of the Indian Penal Code, 1860 ('IPC'), registered at P.S.:Subhash Place, Delhi and the proceedings emanating therefrom.

4. The petitioner No.2, who is the authorised representative of petitioner No.1 as well as SPA holder of petitioner Nos.3, 4 and 5 and respondent No.3, who is also the SPA holder of 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 Settlement Agreement dated 26.8.2019 before the Delhi High Court Mediation & Conciliation Centre. Learned counsel for the parties further submitted that the terms of the settlement stand complied with.

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

6. The Investigating Officer ('IO'), who is present in Court, has identified the petitioner No.2 as well as respondent No.3 and has also verified the settlement and the SPAs also.

7. Learned counsel for the petitioners further submitted that the petitioners are ready and willing to contribute a sum of Rs.1,50,000/- for some social beneficial cause in any trust or association.

8. 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 in future. 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.48/2018, under Sections 420/406/120-B of the Indian Penal Code, 1860 ('IPC'), registered at P.S.:Subhash Place, Delhi, subject to deposit of Rs.1,50,000/-, to be deposited by the petitioners within 14 days, out of which Rs.50,000/- be deposited in the Bharat Ke Veer Corpus Fund, Rs.25,000/- in the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820, Rs.25,000/- in the Delhi High Court Advocates' Welfare Trust, Rs.25,000/- in the Delhi High Court Staff Welfare Fund, SB A/c No.15530110074442 and Rs.25,000/- in the Prime Minister Relief 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 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.

9. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

OCTOBER 24, 2019

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