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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 152/2019**
ARIF HUSSAIN @ VARIS HUSSAIN Petitioner
Through: **Mr. Sunil Kumar & Mr. R.K.**
Solanki, Advocates

versus

STATE & ORS. Respondents
Through: **Mr. Kamal Kumar Ghai, APP**
with SI Madan Mohan,
PS:Ranhola, Delhi

CORAM:
HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER
% **19.02.2019**

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.77/2010, under Sections 419/420/468/471 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Ranhola, 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 Memorandum of Understanding ('MoU') dated 13.12.2018, in terms whereof the petitioner had to pay Rs.2,30,000/- to the respondent No.2. It is further submitted that out of Rs.2,30,000/-, an amount of Rs.1,30,000/- has already been paid to respondent No.2.

3. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that he has no objection to the petition being allowed and the FIR being quashed in case the petitioner pays the amount of Rs.1,00,000/- to him, which is required to be paid as per the MoU arrived at between the parties.

4. Learned counsel for the petitioner submitted that the petitioner has brought a demand draft, bearing No.012202, dated 16.2.2019, drawn on Axis Bank, for an amount of Rs.1,00,000/-, which has been handed over to the respondent No.2 today in the Court.

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 MoU arrived at between the parties. The IO also submitted that the petitioner is having no criminal case pending against him.

6. In view of the aforesaid circumstances and the settlement arrived at between the parties, this Court is 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.77/2010, under Sections 419/420/468/471 of the IPC, registered at P.S.: Ranhola, Delhi and the proceedings emanating therefrom are quashed, subject to the petitioner depositing, within two weeks, a sum of Rs.20,000/-, out of which Rs.10,000/- shall be deposited in the

Army Welfare Fund Battle Casualties, Syndicate Bank, South Block, Defence Headquarters, New Delhi-110011, IFSC Code : SYNB0009055, Account No.90552010165915 and Rs.10,000/- in the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 and the receipts of the said deposits shall be filed in the Registry within three weeks. Copy of the receipts shall also be handed over to the APP through the I.O. within three 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

FEBRUARY 19, 2019/tp