

\$~32

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

+ CRL.M.C. 215/2019

JAGDISH

..... Petitioner

Through: Mr. Sher Singh Chauhan, Adv.
with petitioner in person

versus

STATE(NCT OF DELHI) & ANR. Respondents

Through: Mr.Kamal Kumar Ghei, APP
with SI Prabhakara, PS
Chhawla, Delhi
Ms.Rajni Gupta, Adv. for R-2
with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

17.01.2019

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.59/2015 under Sections 323/354-B/509/34 of the Indian Penal Code, 1860 (IPC), registered at Police Station Chhawala, New Delhi and the proceedings emanating therefrom.

2. Learned counsel for the petitioner submitted that the petitioner and respondent No.2 are neighbours and they have amicably settled their disputes vide Memorandum of Understanding/Settlement Deed dated 14.1.2019 and the petitioner may be given a chance to reform and live peacefully and reintegrate into the society as a respectable citizen.

3. The Investigating Officer ('I.O.'), who is present in Court, has identified the petitioner as well as respondent No.2 and has also verified the settlement arrived at between the parties. The IO stated that the parties do not have any other criminal antecedents except the cross FIR.

4. Respondent No.2 reiterated the aforesaid facts and submitted that the settlement was arrived at between the parties on their own free will, without any force, pressure or coercion. Respondent No.2 further submitted that he has no objection to the quashing of the FIR and the petition being allowed.

5. In view of the aforesaid facts and circumstances and the settlement arrived at between the parties, this Court deems it proper to give a chance to the petitioner to reform and reintegrate into the society as respectable citizen and no fruitful purpose would be served in keeping the parties entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR No. 59/2015 under Sections 323/354-B/509/34 of the IPC, registered at Police Station Chhawala, New Delhi and all the consequential proceedings arising out of the FIR are quashed subject to the condition that the petitioner shall deposit, within ten days, a sum of Rs.5,000/- in the Delhi High Court Advocates' Welfare Trust and the receipt of the said deposit be filed in the Registry within 3 weeks and a copy of the said receipt shall also be handed over to the APP through the I.O. within 3 weeks. In case the petitioner fails to deposit the aforesaid amount, the prosecution shall be entitled to move an application for passing

appropriate orders.

6. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

JANUARY 17, 2019/rk