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

+ CRL.M.C. 269/2019

SARFARAZ

..... Petitioner

Through: Ms. Nusrat Hossain, Advocate.

versus

STATE & ANR.

..... Respondents

Through: Mr. Amit Chadha, APP for the State with
SI Sandeep Yadav, PS Sadar Bazar.
Mr. Mohd. Ahmed, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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05.09.2019

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.76/2017, under Section 354-A/354-D/506/509 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Sadar Bazar, 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 Settlement/Agreement dated 05.07.2018 before the Mediation Centre, Tis Hazari Courts, Delhi.
3. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that since the petitioner has tendered unconditional apology to her and has assured that he shall not indulge in such activities in future, she has now forgiven him and has no

objection to the petition being allowed and the FIR being quashed. Affidavit in this regard stands filed by respondent No.2.

4. Learned counsel for the petitioner submitted that the petitioner is ready and willing to contribute a sum of Rs.20,000/- for some social beneficial cause and deposit the same in any trust or association.

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 settlement. IO also stated that no other criminal case is pending against the petitioner.

6. 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 petitioner, I deem it appropriate to give him 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 aforesaid facts and the remorseful attitude of the petitioner, 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.76/2017, under Section 354-A/354-D/506/509 of the IPC, registered at P.S.: Sadar Bazar, Delhi and the proceedings emanating therefrom are quashed, subject to costs of Rs.20,000/- to be deposited by the petitioner within 14 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 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 21 days. In case the petitioner fails to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders.

7. The petition is disposed of in the above terms.

CHANDER SHEKHAR, J.

SEPTEMBER 05, 2019

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