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

+ **CRL.M.C. 230/2019**

LUCKY SINGH

..... Petitioner

Through Mr. Jogesh Gupta, Advocate.

versus

STATE AND ANR

..... Respondents

Through Mr. Kamal Kumar Ghai, APP
for the State with IO.

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **18.01.2019**

CRL.M.A. 1006/2019 (for exemption)

Allowed, subject to all just exceptions. Application stands disposed of.

CRL.M.C. 230/2019

1. The petitioner has moved the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.09/2014, under Section 354D of the Indian Penal Code, 1860, registered at PS:Yamuna Depot Metro, Delhi.

2. Learned counsel for the petitioner as well as respondent No.2 submitted that disputes of the parties have been settled vide Settlement/Compromise Deed dated 19.12.2018 on their own free will and without any force, pressure or coercion.

3. Respondent no. 2 is present in the Court and stated that she has got married and does not want to pursue the present FIR against the petitioner. The petitioner feels guilty for his conduct and she has forgiven the petitioner and does not want to continue with the complaint. She further submitted that the present petition may be allowed and the FIR may be quashed.

4. Learned counsel for the petitioner submitted that taking into consideration the age of the petitioner and unqualified apology tendered by him to respondent no. 2, the petitioner may be given a chance to reintegrate in the society as a productive citizen.

5. The Investigating Officer ('IO'), who is present in Court, has identified the petitioner as well as respondent No.2 and the IO has also verified the Settlement/Compromise deed.

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 parties, I deem it appropriate to give a chance to the petitioner to reintegrate into the society as a productive member. 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. 09/2014, under Section 354D of the Indian Penal Code, 1860, registered at PS: Yamuna Depot Metro, Delhi and the proceedings emanating therefrom are quashed, subject to deposit of a sum of

Rs.10,000/- within 10 days by the petitioner out of which Rs. 5,000/- be deposited in the Delhi High Court Advocates' Welfare Trust and Rs.5,000/-be deposited in the Advocates Welfare Fund Trustee Committee, Bar Council of Delhi and the receipts of the deposit be filed in the Registry within three weeks. A 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

JANUARY 18, 2019

Pallavi