

\$~6

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

CRL.M.C. 299/2019

SURESH DEVI & ORS

..... Petitioners

Through: Mr. Anil Shokeen, Advocate

versus

THE STATE (NCT OF DELHI) AND ANR..... Respondents

Through: Mr. Kamal Kumar Ghai, APP

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

05.02.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.655/2014, under Sections 354/354B/323/506/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Najafgarh, Delhi and the proceedings emanating therefrom.

2. The Status Report has been perused, wherein it is stated that petitioner No.2 was arrested in FIR No.96/2016, dated 26.2.2016 under Sections 302/341/216/34 IPC and Section 25 of the Arms Act, 1959. However, petitioner No.2 was acquitted on 23.5.2018.

3. The petitioners and their counsel as well as respondent No.2, present in Court with her father, submitted that the parties have settled their disputes on their own free will, without any force or coercion, vide Settlement Deed/Memorandum of

Understanding dated 16.1.2019 and the parties have no grievance against each other.

4. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that since the parties have settled their disputes, she has no objection to the petition being allowed and the FIR being quashed

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

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 petitioners of reformation and to reintegrate into the society as productive members. 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. 655/2014, under Sections 354/354B/323/506/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Najafgarh, Delhi and the proceedings emanating therefrom are quashed, subject to deposit of a sum of Rs.15,000/- within 10 days by the petitioners, out of which Rs.10,000/- be deposited in the Delhi High Court Advocates' Welfare Trust and Rs.5,000/- with the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 and the receipts of the

deposits be filed in the Registry within two weeks. A copy of the receipts shall also be handed over to the APP through the I.O. within two weeks. In case the petitioners fail 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 05, 2019

tp