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

+ **CRL.M.C. 529/2019**

KAILASH RAWAL

..... Petitioner

Through: Mr. Sanjeet Kumar, Mr.
Manish Kumar & Ms. Deepti
Sharma, Advocates

versus

THE STATE & ANR

..... Respondents

Through: Mr. Kamal Kumar Ghai, APP
with ASI Hari OM, PS: Yamuna
Depot

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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31.01.2019

CRL.M.A. 2223/2019

Allowed, subject to all just exceptions. The application is
disposed of.

CRL.M.C. 529/2019

1. The petitioner has moved the present petition under
Section 482 of the Code of Criminal Procedure, 1973 for
quashing of FIR No.31/2014, under Section 354-D of the
Indian Penal Code, 1860 ('IPC'), registered at PS: Yamuna
Depot (Crime & Railway) and the proceedings emanating
therefrom.

2. The petitioner and his counsel as well as respondent No.2 submitted that the parties have settled the disputes *inter se* between themselves vide Compromise Deed/Settlement dated 8.10.2018 on their own free will, without any force, pressure or coercion.

3. Respondent No.2, who is present in Court, submitted that the matter has been settled on her own free will, without any force, pressure or coercion. Respondent No.2 further submitted that since the petitioner has tendered apology to her, she has no objection to the petition being allowed and the FIR may be quashed.

4. Learned counsel for the petitioner submitted that taking into consideration the socio-economic condition of the petitioner as well as his age, a chance may be given to him to reform and reintegrate into 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 has also verified about the settlement.

6. Taking into consideration the aforesaid facts, the age and in the interest of justice, I deem it appropriate to give the petitioner a chance to reintegrate into the society as a productive member.

7. In view of the aforesaid circumstances, the settlement arrived at between the parties and taking into consideration the fact that the petitioner has tendered apology to respondent

No.2, 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. 31/2014, under Section 354-D of the IPC, registered at PS: Yamuna Depot (Crime & Railway) and the proceedings emanating therefrom 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 shall 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 2 weeks. In case the petitioner fails to deposit the aforesaid amount, the prosecution shall be entitled to move an application for passing appropriate orders.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

JANUARY 31, 2019

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