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

+ **CRL.M.C. 870/2019 & CRL.M.A.3477/2019**

GAGAN KHARBANDA

..... Petitioner

Through: Mr. R.S. Juneja and Mr.
Yogesh Kumar Rana, Advs.
with the petitioner in person

versus

THE STATE OF DELHI & ORS

.... Respondents

Through: Mr.Ashish Dutta, APP with
ASI Chander Pal Singh, PS
Farsh Bazar, Delhi
Mr. Pankaj Kumar, Adv. for
R-2 with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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15.02.2019

CRL.M.A. 3477/2019 (for exemption)

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

CRL.M.C. 870/2019

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.175/2017 dated 1.5.2017 under Sections 451/354-B/506/509/323 of the Indian Penal Code, 1860 (IPC), registered at Police Station Farsh Bazar, New Delhi and the proceedings emanating therefrom.
2. The petitioner and respondent No.2 as well as the learned

counsel for the parties submitted that the parties have entered into a settlement vide Compromise Deed dated 12.2.2019 on their own free will without any force, pressure or coercion.

3. 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 arrived at between the parties. The IO further stated that the petitioner has no other criminal antecedent.

4. The respondent No.2, present in the Court, submitted that the petitioner has already shifted his residence from her neighbourhood and also tendered unconditional apology to her and she has now forgiven him. Respondent No.2 further submitted that in terms of the settlement arrived at between the parties, she has no objection to the petition being allowed and the quashing of the FIR.

5. Learned counsel for the petitioner submitted that taking into consideration the settlement arrived at between the parties and the young age and future of the petitioner, the petition may be allowed and the aforesaid FIR may be quashed.

6. In view of the aforesaid circumstances, the settlement arrived at between the parties as well as the age and socio-economic condition of the petitioner, I deem it appropriate to give the petitioner a chance to reform and reintegrate into the society as a productive member. In the interest of justice, the FIR No. 175/2017 dated 1.5.2017 under Sections 451/354-B/506/509/323 of the IPC, registered at Police Station Farsh Bazar, New Delhi and all the consequential proceedings arising out of the FIR are quashed subject to the petitioner depositing

within two weeks, a sum of Rs.5,000/- in the Prime Minister's National Relief Fund, Rs.5,000/- in the Delhi High Court Advocates' Welfare Trust and Rs.5,000/- in the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 and the receipts of the said deposits shall be filed in the Registry within three weeks. 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

FEBRUARY 15, 2019/rk