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

+ CRL.M.C. 1164/2019

ANAND TRIPURARI

..... Petitioner

Through: Mr. Saurabh Bhargavan, Adv.
with the petitioner in person

versus

STATE & ANR.

.... Respondents

Through: Mr. Kamal Kumar Ghei, APP
with SI Rajesh Yadav, PS
Vasant Vihar
R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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28.02.2019

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.539/2014 under Section 279 of the Indian Penal Code, 1860 (IPC), registered at Police Station Vasant Vihar, New Delhi and the proceedings emanating therefrom.
2. The petitioner and respondent No.2 as well as the learned counsel for the petitioner submitted that the parties have entered into a Settlement and Release Agreement dated 9.2.2019 on their own free will without any pressure, force or coercion.
3. The respondent No.2, on the query of the Court, reiterated the aforesaid facts and submitted that in terms of the settlement arrived at between the parties, the petitioner has already paid him a sum of

Rs.65,000/- as full and final settlement amount. Respondent No.2 further submitted that he has no objection to the petition being allowed and the FIR being quashed.

4. 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. IO stated that the petitioner has no criminal antecedent.

5. In view of the aforesaid circumstances and the settlement arrived at between the parties, 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. 539/2014 under Section 279 of the IPC, registered at Police Station Vasant Vihar, New Delhi and all the consequential proceedings arising out of the FIR are quashed, subject to cost of Rs.10,000/- to be deposited within 14 days in the Bharat Ke Veer Corpus Fund and receipt of the deposit be filed in the Registry within 21 days. Copy of the receipt 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.

6. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

FEBRUARY 28, 2019/rk