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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 1259/2019

SAJI JOSEPH & ANR

..... Petitioners

Through: Mr. Shaurabh Bhargava,
Advocate

versus

THE STATE (NCT OF DELHI) & ANR Respondents

Through: Mr. Raghuvinder Verma, APP
with SI Sunil Dagar,
PS:DIU/SD, Delhi
Mr. Arun Srivastava, Advocate
for respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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09.08.2019

CRL.M.A.4949/2019

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

CRL.M.C. 1259/2019

1. Issue notice. Notice is accepted by the learned APP on behalf of the State and by learned counsel for respondent No.2.
2. Learned counsel for the parties, on the query of the Court, submitted that they are not seeking any clarification /declaration regarding the property mentioned in the Compromise Deed. Learned counsel for the petitioners also submitted that he is not pressing prayer (b) made in the petition. This Court is also not expressing any opinion regarding the

transactions of the property involved in the Compromise Deed dated 1.5.2018.

3. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.43/2016, under Sections 448/380/454/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.:Mehrauli, Delhi and the proceedings emanating therefrom.

4. The petitioners and their counsel as well as respondent No.2 submitted that the parties have settled their disputes on their own free will, without any force or coercion vide Deed of Compromise dated 1.5.2018.

5. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that since the matter has been settled, he has no objection to the petition being allowed and the FIR being quashed.

6. Learned counsel for the petitioners submitted that the present petition may be allowed and the FIR may be quashed, subject to any condition that this Court may deem fit and proper. Learned counsel for the petitioners submitted that the petitioners are ready and willing to contribute a sum of Rs.15,000/- for some social beneficial cause and deposit the same in any trust or association.

7. 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 arrived at between the parties.

8. 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. 43/2016, under Sections 448/380/454/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.:Mehrauli, Delhi and the proceedings emanating therefrom are quashed, subject to deposit of a sum of Rs.15,000/- within two weeks by the petitioners, out of which Rs.5,000/- be deposited with the Delhi High Court Advocates' Welfare Trust, Rs.5,000/- in the High Court of Delhi, Middle Income Group Legal Aid Society, UCO Bank, Account No.15530110135488 and Rs.5,000/- be deposited in the Bharat Ke Veer Corpus Fund and the receipts of the deposits be filed in the Registry within two weeks. 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.

9. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

AUGUST 09, 2019

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