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IN THE HIGH COURT OF DELHI AT NEW DELHI

CRL.M.C. 1283/2019

SATPAL & ORS

..... Petitioners

Through: Mr. Sanjay Kumar, Advocate

versus

THE STATE (GOVT OF NCT OF DELHI) & ORS

..... Respondents

Through: Mr. Ashish Dutta, APP with
DCP Chinmay Biswal, SI
Devender Singh and
Inspector/SHO, Satish Rana,
PS:Govind Puri, Delhi
Ms. Amrita, Advocate for
respondent Nos.2 to 5

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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02.05.2019

1. Deputy Commissioner of Police (DCP)/Inspector/Sub-Inspector (SI) are present in Court.
2. DCP submitted that he has asked for the explanation from the SHO concerned about the absence of the IO on 25.4.2019. The DCP has assured that he will issue instructions to the officers/officials and set a systemic procedure, whereby the Office of the DCP may know which IO has attended the Court and which has not and shall take necessary action against the erring officials/officers. The DCP is directed to file a copy of such instructions to be issued by the Office of the DCP and the action initiated by him, within ten days.

3. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0852/2016, under Sections 354(B)/452/323/325/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.:Govind Puri, Delhi and the proceedings emanating therefrom.

4. The petitioners and respondent Nos.2 to 5 as well as their respective counsel submitted that the parties have settled their disputes on their own free will, without any force or coercion vide Settlement-cum-Compromise Deed dated 26.2.2019.

5. Respondent Nos.2 to 5, who are present in Court, have reiterated the aforesaid facts and submitted that since the matter stands settled, they have no objection to the petition being allowed and the FIR being quashed.

6. Learned counsel for the petitioners submitted that the cross-FIR No.840/2016 in WP(Crl.) 702/2019 stands quashed by a Co-ordinate Bench of this Court. Learned APP verifies the same.

7. 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.

8. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners as well as respondent Nos.2 to 5.

9. 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 petitioners, I deem it appropriate to give them a chance to reform and 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.0852/2016, under Sections 354(B)/452/323/325/34 of the IPC, registered at P.S.:Govind Puri, Delhi are quashed, subject to deposit of a sum of Rs.25,000/- within three weeks by the petitioners, out of which Rs.10,000/- be deposited in the Bharat Ke Veer Corpus Fund, Rs.5,000/- in Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820, Rs.5,000/- in the Delhi High Court Advocates' Welfare Trust and Rs.5,000/- in Delhi High Court Staff Welfare Fund, SB A/c No.15530110074442 and the receipts of the deposits be filed in the Registry within four weeks. Copy of the receipts shall also be handed over to the APP through the I.O. within four weeks. In case the petitioners fail to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders.

10. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

MAY 02, 2019/tp