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

+ **CRL.M.C. 1533/2019 & CRL.M.A.6119/2019**

SH. MOHAN

..... Petitioner

Through: Mr. Naveen J. H., Adv. with
the petitioner in person

versus

STATE & ANR.

.... Respondents

Through: Mr.Panna Lal Sharma, APP
with IO in person
R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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20.03.2019

CRL.M.A. 6119/2019 (for exemption)

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

CRL.M.C. 1533/2019

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.3/2017 under Section 308 of the Indian Penal Code, 1860 (IPC), registered at Police Station Jahangir Puri, 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 settled their disputes and have entered into a Compromise Deed dated 11.2.2019 on their own free will, without any force, pressure or coercion.

3. Respondent No.2, present in the Court, submitted that the petitioner has already tendered unconditional apology to him and in view of the unconditional apology tendered by the petitioner, he has forgiven him and he does not want to continue proceedings against the petitioner. 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. The IO stated that the petitioner has no criminal antecedent.

5. In view of the aforesaid circumstances and the settlement arrived at between the parties as well as taking into consideration the age of the petitioner and the socio-economic condition, this Court deems it proper to give him a chance to reform and reintegrate into society as a productive member. Accordingly, in the interest of justice, FIR No.3/2017 under Section 308 of the Indian Penal Code, 1860 (IPC), registered at Police Station Jahangir Puri, New Delhi and all the consequential proceedings arising out of the FIR are quashed subject to cost of Rs.20,000/- to be paid by the petitioner within 14 days, out of which Rs.10,000/- be deposited in the Bharat Ke Veer Corpus Fund, Rs.5,000/- in the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 and Rs.5,000/- in the Delhi High Court Advocates' Welfare Trust and receipts of the deposits be filed in the Registry within 21 days. Copy of the receipts 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

MARCH 20, 2019/rk