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IN THE HIGH COURT OF DELHI AT NEW DELHI

CRL.M.C. 1587/2019 & CRL.M.A. 6347/2019

DEEPAK BAHL

..... Petitioner

Through: Mr. Amit Goel, Advocate

versus

STATE & ANR

..... Respondents

Through: Mr. Ashish Dutta, APP with SI
Kamal Kohli, PS:EOW, Delhi

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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27.05.2019

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.110/2008, under Section 63-A of the Copyright Act, 1957, registered at P.S.: EOW, Delhi and the proceedings emanating therefrom.

2. The petitioner and his counsel as well as the Director of respondent No.2 company submitted that the parties have settled their disputes on their own free will, without any force or coercion vide Compromise Deed dated 11.3.2019.

3. The Director of respondent No.2 company, who is present in Court, has reiterated the aforesaid facts and submitted that the petitioner has to pay a sum of Rs.5,00,000/- as compensation towards all losses, damages, costs to the respondent No.2 and in case the petitioner pays the said amount, he has no objection to the petition being allowed and

the FIR being quashed.

4. Learned counsel for the petitioner has handed over a banker's cheque bearing No.094505, for Rs.5,00,000/-, dated 1.3.2019, drawn on State Bank of India to the Director of respondent No.2 company.

5. Learned counsel for the petitioner 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.

6. The Investigating Officer ('IO'), who is present in Court, has identified the petitioner as well as Director of respondent No.2 company and has also verified the settlement.

7. In view of the aforesaid circumstances and the settlement arrived at between the parties and taking into consideration the age and socio-economic background of the petitioner, I deem it appropriate to give him a chance to reform and reintegrate into the society as a productive member. The petitioner is warned to be careful in future and not indulge in such activities again. Taking into consideration the remorseful attitude of the petitioner, 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. 110/2008, under Section 63-A of the Copyright Act, 1957, registered at P.S.: EOW, Delhi and the proceedings emanating therefrom are quashed, subject to the deposit of a sum of

Rs.40,000/- within two weeks by the petitioner, out of which Rs.10,000/- be deposited in the Bharat Ke Veer Corpus Fund, Rs.10,000/- in the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820, Rs.10,000/- in the Delhi High Court Advocates' Welfare Trust and Rs.10,000/- in the Delhi High Court Staff Welfare Fund, SB A/c No.15530110074442 and receipts of the deposits 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.

8. Petition is disposed of in above terms. Pending application is also disposed of.

CHANDER SHEKHAR, J

MAY 27, 2019

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