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

+ **CRL.M.C. 1737/2019**

SWAPNIL PATHAK SINGH & ANR Petitioners

Through: Mr. Manish Kumar, Adv. with
the petitioners in person

versus

STATE (NCT OF DELHI) & ANR Respondents

Through: Mr.Panna Lal Sharma, APP
with SI Sunil Kumar, PS
Dwarka North, Delhi
Mr. D.S. Ahlawat and Ms.
Vikas Jain, Advs. for R-2 with
R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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20.05.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.318/2017, under Sections 354-B/354/323/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Dwarka North, New Delhi and the proceedings emanating therefrom.
2. The petitioners and respondent No.2, present in the Court, as well as the learned counsel for the parties submitted that the parties have settled their disputes on their own free will, without any force, pressure or coercion vide a Memorandum of Understanding dated 3.12.2018. Learned counsel for the parties submitted that the parties had filed cross-cases against each other and now, they have settled all

their disputes vide the settlement. It is further submitted that it was agreed between the parties that they shall help each other to quash the FIR and shall not pursue any proceedings emanating from the FIR.

3. Respondent No.2 reiterated the aforesaid facts and submitted that she 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 petitioners as well as respondent No.2 and has also verified the settlement arrived at between the parties. The IO also stated that the parties have no criminal case against them, except the present cross-cases.

5. Learned counsel for the petitioners submitted that the petition may be allowed and the FIR may be quashed, subject to any condition whichever this Court may deem fit and proper.

6. In view of the aforesaid circumstances and the settlement arrived at between the parties as well as taking into consideration the age of the petitioners and their socio-economic background, this Court deems it proper to give the petitioners a chance to reform and reintegrate into the society as productive members. Accordingly, in the interest of justice, FIR No.318/2017, under Sections 354-B/354/323/34 of the IPC, registered at P.S.: Dwarka North, New Delhi and the proceedings emanating therefrom are quashed subject to cost of Rs.15,000/- to be paid by the petitioners within 14 days, out of which Rs.5,000/- be deposited in the Bharat Ke Veer Corpus Fund, Rs.5,000/- in the Delhi High Court Advocates' Welfare Trust and

Rs.5,000/- in the Delhi High Court Staff Welfare Fund SB A/c No.15530110074442 UCO Bank, Delhi High Court 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 petitioners fail to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

MAY 20, 2019/rk