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

+ **CRL.M.C. 1735/2019**

KAPTAN SINGH

..... Petitioner

Through: Mr. D.S. Ahlawat and Ms.
Vikas Jain, Advs. with the
petitioner in person

versus

STATE (NCT OF DELHI) & ANR

.... Respondents

Through: Mr.Panna Lal Sharma, APP
with SI Sunil Kumar, PS
Dwarka North, Delhi
Mr. Manish Kumar, Adv. 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 petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.317/2017, under Sections 354-B/354/323 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Dwarka North, New Delhi and the proceedings emanating therefrom.

2. The petitioner 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 petitioner 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 petitioner 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 petitioner and his socio-economic background, this Court deems it proper to give the petitioner a chance to reform and reintegrate into the society as a productive member. Accordingly, in the interest of justice, FIR No.317/2017, under Sections 354-B/354/323 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 petitioner 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 petitioner fails 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