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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 1871/2019

ANKUR GUPTA & ANR

..... Petitioners

Through: Ms. Anubha Aggarwal,
Advocate

versus

THE STATE (NCT OF DELHI) & ANR Respondents

Through: Mr.Panna Lal Sharma, APP
with SI Jyoti Yadav,
PS:Dwarka (South), Delhi

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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26.07.2019

1. Learned counsel for the petitioners submitted that petitioner Nos.1 and 2 have executed General Power of Attorney (GPA) in favour of Devinder Kumar Gupta. It is stated that Devinder Kumar Gupta is the father of Ankur Gupta and father-in-law of Muneesh Mehta.

2. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.612/2015, under Sections 323/354/354A/354B/354D/509/506/427/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.:Dwarka South, Delhi and the proceedings emanating therefrom.

3. The GPA holder of petitioner Nos.1 and 2 and their counsel as well as respondent No.2 submitted that the parties

have settled their disputes on their own free will, without any force or coercion vide Joint Compromise Deed dated 6.11.2018.

4. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that since the matter has been settled, she has no objection to the petition being allowed and the FIR being quashed.

5. 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.

6. The Investigating Officer ('IO'), who is present in Court, has identified the GPA holder of petitioner Nos.1 and 2 as well as respondent No.2 and has also verified the settlement as well as the GPA. The IO also submitted that no other criminal case is pending against the petitioners.

7. 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.612/2015, under Sections 323/354/354A/354B/354D/509/506/427/34 of the IPC,

registered at P.S.:Dwarka South, Delhi and all the proceedings emanating therefrom are quashed, subject to deposit of a sum of Rs.25,000/- within two weeks by the petitioners, 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, Rs.5,000/- in the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820, Rs.5,000/- in the Delhi High Court Staff Welfare Fund, SB A/c No.15530110074442 and Rs.5,000/- in the Prime Minister Relief Fund and the receipts of the deposits be filed in the Registry within two weeks. Copy of the receipts shall also be handed over to the APP through the I.O. within two weeks. In case the petitioners fail 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.

CHANDER SHEKHAR, J

JULY 26, 2019

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