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

+ **CRL.M.C. 2028/2019 & CRL.M.A.8019/2019**

ASHOK KUMAR & ANR. Petitioners

Through: Mr. Siddhant Gautam, Adv.
with the petitioners in person

versus

STATE & ANR. Respondents

Through: Mr. Kamal Kumar Ghei, APP
with ASI Yogender Singh, PS
Pul Prahalad Pur, Delhi
R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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15.04.2019

CRL.M.A. 8019/2019 (for exemption)

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

CRL.M.C. 2028/2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.187/2016, under Sections 451/354/427/509/323/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Pul Prahaladpur, 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 petitioners submitted that the

parties have settled their disputes on their own free will, without any force, pressure or coercion vide a Compromise Deed dated 22.3.2019.

3. Respondent No.2 reiterated the aforesaid facts and submitted that the petitioners have tendered unconditional apology to her and she has forgiven them and does not want to continue the criminal proceedings against them. She further submitted that she has no objection to the petition being allowed and the FIR being quashed.

4. The petitioners have also tendered unconditional apology to the respondent No.2 in the Court today and submitted that they shall not indulge in any such activity in future. Learned counsel for the petitioners submitted that the present petition may be allowed subject to any condition whichever this Court may deem appropriate.

5. 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 petitioners do not have any criminal antecedents.

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. 187/2016, under Sections 451/354/427/509/323/34 of the IPC, registered at P.S.: Pul Prahaladpur, New Delhi and the proceedings emanating therefrom are quashed subject to cost of Rs.25,000/- to be paid by the petitioners

within 14 days, out of which Rs.10,000/- be deposited in the Bharat Ke Veer Corpus Fund, Rs.5,000/- in the Delhi High Court Advocates' Welfare Trust, Rs.5,000/- with the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 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

APRIL 15, 2019/rk