

\$~49

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

+ **CRL.M.C. 2370/2019 & CRL.M.As.9410-11/2019**

KRISHAN @ KISHAN & ANR. Petitioners

Through: Mr. Amit Kr. Singh and Mr.
Pritam Singh, Advs. with the
petitioners in person

versus

STATE & ORS Respondents

Through: Mr.Panna Lal Sharma, APP
with SI Gaurav Panwar, PS
Shahdara, Delhi
R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

02.05.2019

CRL.M.A. 9411/2019 (for condonation of delay)

In view of the cause submitted in the application, the delay in re-filing the petition is condoned. Application stands disposed of.

CRL.M.A. 9410/2019 (for exemption)

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

CRL.M.C. 2370/2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.685/2014, under Sections 308/34 of the Indian Penal Code, 1860

(‘IPC’), registered at P.S.: Shahdara, Delhi and the proceedings emanating therefrom.

2. The petitioners and respondent No.2 as well as learned counsel for the petitioners submitted that the parties have settled their disputes on their own free will, without any force or coercion vide a Compromise Deed dated 22.3.2019.

3. 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.

4. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that since the petitioners have tendered unconditional apology to him and have assured that they shall not indulge in such activities in future, he has now forgiven them and has no objection to the petition being allowed and the FIR being quashed.

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.

6. 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 the petitioners a chance to reform and reintegrate into the society as productive members. The petitioners are warned to be careful in future and to not indulge in such activities again. Taking into consideration the remorseful attitude of the petitioners, 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. 685/2014, under Sections 308/34 of the IPC, registered at P.S.: Shahdara, 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

MAY 02, 2019/rk