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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 2649/2019

BUDH RAM YADAV & ORS

..... Petitioners

Through: Mr. Charanjit Sharma,
Advocate

versus

STATE & ANR

..... Respondents

Through: Mr. Amit Chaddha, APP
Mr. Rajbir Malik & Mr.
Sandeep, Advocates

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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25.07.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.557/2008, under Sections 420/467/468/471/448/380/120B of the Indian Penal Code, 1860 ('IPC'), registered at P.S.:Shalimar Bagh, Delhi and the proceedings emanating therefrom.

2. The petitioners 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 Settlement Deed dated 7.5.2019.

3. 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. In this regard, respondent No.2 has filed her affidavit-cum-NOC.

4. 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.

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. The IO also submitted that no other criminal case is pending against the petitioners.

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 them a chance to reform and reintegrate into the society as productive members. The petitioners are warned to be careful in future and not indulge in such activities again in future. 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.557/2008, under Sections 420/467/468/471/448/380/120B of the IPC, registered at P.S.:Shalimar Bagh, Delhi and all the proceedings emanating therefrom are quashed, subject to deposit of a sum of Rs.10,000/- within two weeks by the petitioners, out of which

Rs.5,000/- be deposited 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 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.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

JULY 25, 2019

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