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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 3545/2019

BOBY @ EJAZ

..... Petitioner

Through: Mr. S. Hasan M. Zaidi,
Advocate

versus

STATE & ANR.

..... Respondents

Through: Mr. Ashok Kumar Garg, APP
with SI Rahul Kumar,
PS:Laxmi Nagar, Delhi

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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05.11.2019

CRL.M.A. 12504/2019 (for exemption)

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

CRL.M.C. 3545/2019

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.210/2014, under Sections 354-A (1)/509/506 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.:Shakarpur, Delhi and the proceedings emanating therefrom.

2. The petitioner and his 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/Compromise Deed dated 29.5.2019.

3. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that since the petitioner has tendered unconditional apology to her and has assured that he shall not indulge in such activities again in future, she has now forgiven him and 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. The IO also submitted that no other criminal case is pending against the petitioner.

5. Learned counsel for the petitioner further submitted that the petitioner is ready and willing to contribute a sum of Rs.20,000/- for some social beneficial cause in any trust or association.

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 petitioner, I deem it appropriate to give him a chance to reform and reintegrate into the society as a productive member. The petitioner is warned to be careful in future and to not indulge in such activities again in future. Taking into consideration the remorseful attitude of the petitioner, 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. 210/2014, under Sections 354-A (1)/509/506 of the IPC,

registered at P.S.:Shakarpur, Delhi and all the proceedings emanating therefrom are quashed, subject to deposit of Rs.20,000/-, to be deposited by the petitioner within six weeks, out of which Rs.5,000/- be deposited 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, Rs.5,000/- in the Prime Minister's National Relief Fund 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 deposit be filed in the Registry within seven weeks. Copy of the receipts shall also be handed over to the APP through the I.O. within seven weeks. 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

NOVEMBER 05, 2019

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