

\$~47

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3807/2019**

HAMMAD AHMAD @ NAFEES Petitioner
Through: Counsel (name not given)

versus

STATE & ANR. Respondents
Through: Mr. Mukesh Kumar, APP with
SI Priyank Rana, PS:DBG
Road, Delhi
Mr. Aditya Arora & Mr.
Shubham Aggarwal, Advocates
for respondent No.2

CORAM:
HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER
% **24.10.2019**

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0057/2019, under Section 324 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.:DBG Road, Delhi and the proceedings emanating therefrom.
2. The petitioner and respondent No.2 as well as their respective counsel submitted that the parties have settled their disputes on their own free will, without any force or coercion vide Memorandum of Understanding dated 23.7.2019.
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 him and has assured that he

shall not indulge in such activities again in future, he has now forgiven him and he 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.5,000/- 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. 0057/2019, under Section 324 of the IPC, registered at P.S.:DBG Road, Delhi and all the proceedings emanating therefrom are quashed, subject to deposit of Rs.5,000/-, to be deposited by the petitioner within 14 days in the Bharat Ke

Veer Corpus Fund and receipt of the deposit be filed in the Registry within 21 days. Copy of the receipt shall also be handed over to the APP through the I.O. within 21 days. 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

OCTOBER 24, 2019

tp