

\$~32

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

+ **CRL.M.C. 4315/2019**

MANGAL SINGH

..... Petitioner

Through Ms. Nidhi Nagpal, Adv. with
the petitioner in person

versus

STATE & ANR.

.... Respondents

Through Mr. Mukesh Kumar, APP with
SI Anuj Singh
R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

01.10.2019

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.99/2017, under Section 279 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Hazarat Nizamuddin, Delhi and the proceedings emanating therefrom.
2. The petitioner and respondent No.2 as well as learned counsel for the petitioner submitted that the parties have settled their disputes on their own free will, without any force or coercion vide a Settlement Agreement dated 30.7.2019.
3. Respondent No.2, who is present in the Court, submitted that he is the complainant as well as the Special Power of Attorney Holder executed by Dr. Mahendra Pratap Singh. Respondent No.2 further

submitted that the petitioner has paid the entire settlement amount to Dr. Mahendra Pratap Singh and nothing remains due from the petitioner. He further submitted that he and Dr. Mahendra Pratap Singh have no objection to the present petition being allowed and the aforesaid 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 and the Special Power of Attorney. The IO further stated that apart from the present FIR, no other criminal case is pending against the petitioner.

5. Learned counsel for the petitioner 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 the petitioner 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. Taking into consideration the aforesaid facts and the remorseful attitude of the petitioner, this Court is 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.99/2017, under Section 279 of the IPC, registered at P.S.: Hazarat Nizamuddin, Delhi and the proceedings emanating therefrom are quashed subject to cost of

Rs.5,000/- to be deposited by the petitioners in the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 within 14 days 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 01, 2019/rk