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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 4429/2019

RAJU @ DINESH KUMAR & ORS Petitioners

Through: Mr. Amit Nayyar & Mr. Sunil
Kumar, Advocates

versus

STATE & ORS Respondents

Through: Ms. Aashaa Tiwari, APP with
SI Sunil Kumar, PS:Civil
Lines, Delhi
Mr. Rajkumar Chandiwal,
Advocate for LR(i) of deceased
respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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25.09.2019

CRL.M.A.35068/2019(for exemption)

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

CRL.M.C. 4429/2019

1. Issue notice.
2. Notice is accepted by the learned APP for the State and by learned counsel for legal representative No.1 of respondent No.2.
3. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.200/2007, under Sections 326/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.:Civil Lines, Delhi and the proceedings emanating therefrom.

4. Affidavit of legal representative (i) of deceased respondent No.2 is filed.

5. The petitioners and legal representative No.1 of deceased 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 Compromise/Settlement Deed dated 22.8.2019.

6. Legal representative (i) of deceased respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that since the matter has been settled, he has no objection to the petition being allowed and the FIR being quashed.

7. Learned counsel for the petitioners submitted that the petitioners are ready and willing to contribute a sum of Rs.30,000/- for some social beneficial cause and deposit the same in any trust or association.

8. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners as well as legal representative (i) of deceased respondent No.2 and has also verified the settlement. The IO also submitted that no other criminal case is pending against the petitioners. Learned APP, on instructions, also submitted that respondent No.1 is having no objection in case the petition is allowed and the FIR is quashed.

9. 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. 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.200/2007, under Sections 326/34 of the IPC, registered at P.S.:Civil Lines, Delhi and the proceedings emanating therefrom are quashed, subject to deposit of a sum of Rs.30,000/- within two weeks by the petitioners, out of which Rs.10,000/- in the Delhi High Court Advocates' Welfare Trust, Rs.10,000/- in the Delhi High Court Staff Welfare Fund SB A/c No.15530110074442 UCO Bank, Delhi High Court and Rs.10,000/- in the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 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.

10. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

SEPTEMBER 25, 2019/tp