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

+ CRL.M.C. 1057/2018 & CRL.M.As.6226-27/2018

RATAN KUMAR JAIN & ANR Petitioners

Through: Mr. I.S. Sharma, Adv. with the
petitioners in person

versus

THE STATE & ANR Respondents

Through: Mr.Ashish Dutta, APP with SI
Sandeep Kumar, SOS-I, Crime
Branch, Delhi
R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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08.07.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.919/2008, under Sections 409/420/465/467/468/471/120-B/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Prashant Vihar, North-West, Delhi and the proceedings emanating therefrom.
2. Respondent No.2 has filed her affidavit as well as her proof of identity on record.
3. The petitioners and respondent No.2 as well as the learned counsel for the petitioners submitted that the parties have settled their disputes on their own free will, without any force or coercion before the Delhi Mediation Centre, Rohini District Courts, Delhi on 15.12.2017.

4. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that the petitioners had to pay a sum of Rs.20 lacs in terms of the settlement between the parties out of which, the petitioners have already paid a sum of Rs.10 lacs and the balance amount of Rs.10 lacs is due from the petitioners. Respondent No.2 further submitted that in case the petitioners make the payment of the balance amount of Rs.10 lacs to him, he has no objection to the petition being allowed and the FIR being quashed.

5. Learned counsel for the petitioners submitted that the petitioners have brought two separate demand drafts bearing Nos.031970 dated 4.7.2019 for an amount of Rs.4 lacs and 031976 dated 5.7.2019 for an amount of Rs.6 lacs which have been handed over to the respondent No.2 today in the Court.

6. Learned counsel for the petitioners submitted that the petitioners are also willing and ready to contribute any amount for social cause and/or charity.

7. 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 arrived at between the parties.

8. In view of the aforesaid circumstances and the settlement arrived at between the parties, 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.919/2008, under Sections 409/420/465/467/468/471/120-B/34 of the IPC, registered at P.S.: Prashant Vihar, North-West, Delhi and the

proceedings emanating therefrom are quashed subject to cost of Rs.50,000/- to be paid by the petitioners within 21 days, out of which Rs.20,000/- be deposited in the Bharat Ke Veer Corpus Fund, Rs.10,000/- in the Delhi High Court Advocates' Welfare Trust, Rs.10,000/- with the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 and Rs.10,000/- in the Delhi High Court Staff Welfare Fund SB A/c No.15530110074442 UCO Bank, Delhi High Court and receipts of the deposits be filed in the Registry within 28 days. Copy of the receipts shall also be handed over to the APP through the I.O. within 28 days. In case the petitioners fail to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders. Parties shall remain bound by the terms and conditions of the settlement.

9. Petition is disposed of in above terms. Pending applications stand disposed of.

CHANDER SHEKHAR, J

JULY 08, 2019/rk