

\$~16

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 968/2018**

RAJESH KHARWAR & ANR Petitioners
Through: Mr. Kedar Yadav, Advocate

versus

STATE OF DLEHI & ANR Respondents
Through: Mr. Amit Chaddha, APP with
SI Balbeer, PS:Mandir Marg,
Delhi
Mr. Harkaran Singh, Advocate
for respondent No.2

CORAM:
HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **07.08.2019**

1. Status report already stands filed.
2. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.300/2014, under Sections 308/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.:Mandir Marg, Delhi and the proceedings emanating therefrom.
3. The petitioners 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. Respondent No.2 has filed an affidavit to this effect.
4. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that since the petitioners have tendered unconditional apology and matter has been settled, he

has no objection to the FIR being quashed and the petition being allowed.

5. Learned counsel for the petitioners submitted that the present petition may be allowed and the FIRs may be quashed, subject to any condition that this Court may deem fit and proper. Learned counsel for the petitioners submitted that the petitioners are ready and willing to contribute a sum of Rs.20,000/- for some social beneficial cause in any trust or association.

6. 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. The IO also submitted that no other criminal case is pending against the petitioners.

7. 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. 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.300/2014, under Sections 308/34 of the IPC, registered at P.S.:Mandir Marg, Delhi and all the proceedings emanating therefrom are quashed, subject to deposit of a sum of Rs.20,000/- within two weeks by the

petitioners, out of which Rs.5,000/- be deposited with the Bharat Ke Veer Corpus Fund, Rs.5,000/- be deposited in the Delhi High Court Advocates' Welfare Trust, Rs.5,000/- in the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 and Rs.5,000/- in the Delhi High Court Staff Welfare Fund, SB A/c No.15530110074442 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.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

AUGUST 07, 2019

tp