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

+ **CRL.M.C. 938/2018 & CRL.M.A. 3442/2018**

RAJENDER GOYAL & ORS Petitioners

Through: Mr. D.S. Patial, Adv. with
petitioners in person

versus

THE STATE & ORS Respondents

Through: Mr.Panna Lal Sharma, APP
with IO in person
R-2 to 8 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **08.04.2019**

CRL.M.A. 3442/2018 (for exemption)

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

CRL.M.C. 938/2018

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.625/2017 dated 30.9.2017, under Sections 365/342/506/323/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Nihal Vihar, Delhi and the proceedings emanating therefrom.
2. Cost of Rs.20,000/- has been deposited by the petitioners in terms of the order dated 23.8.2018 and the copy of the receipt has been placed on record.
3. Learned counsel for the petitioner has submitted that the petitioner No.1 has expired.

4. The petitioner Nos.2 to 7 and respondent Nos.2 to 8, present in the Court, as well as the learned counsel for the parties submitted that the parties have settled their disputes on their own free will, without any force, pressure or coercion vide a Mutual Settlement Deed dated 9.10.2017.

5. Respondent Nos.2 to 8 have reiterated the aforesaid facts and submitted that since the petitioner Nos.2 to 7 have tendered unconditional apology to them and have assured that they shall not indulge in such activities in future, the respondent Nos.2 to 8 have now forgiven them and they have no objection to the petition being allowed and the FIR being quashed.

6. The petitioner Nos.2 to 7 have again tendered apology to the respondent Nos.2 to 8 in the Court today and submitted that they are ready to abide by any condition imposed by this Court.

7. The Investigating Officer ('IO'), who is present in Court, has identified the petitioner Nos.2 to 7 as well as respondent Nos.2 to 8 and has also verified the settlement arrived at between the parties. The IO also stated that the petitioner No.1 has expired.

8. In view of the aforesaid circumstances and the settlement arrived at between the parties as well as taking into consideration the age of the petitioner Nos.2 to 7 and their socio-economic background, this Court deems it proper to give the petitioners.2 to 7 a chance to reform and reintegrate into the society as productive members. Accordingly, in the interest of justice, FIR No. 625/2017 dated 30.9.2017, under Sections 365/342/506/323/34 of the IPC, registered

at P.S.: Nihal Vihar, Delhi and the proceedings emanating therefrom are quashed subject to cost of Rs.60,000/- to be paid by the petitioners within 14 days, out of which Rs.20,000/- be deposited in the Bharat Ke Veer Corpus Fund, Rs.15,000/- 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.15,000/- 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 21 days. Copy of the receipts shall also be handed over to the APP through the I.O. within 21 days. In case the petitioners fail to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders.

9. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

APRIL 08, 2019/rk