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

+ CRL.M.C. 1631/2018

JITENDER GUJRAL

..... Petitioner

Through: Mr. Jogesh Gupta, Adv. with
the petitioner in person

versus

THE STATE GOVT OF NCT OF DELHI

& ORS

.... Respondents

Through: Mr. Kamal Kumar Ghei, APP
with ASI Sanjiv Kumar, PS
Najafgarh, Delhi
Mr. Ajit Kumar, Adv. for R-2
and 3 with the R-2 and 3 in
person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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30.04.2019

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.386/2014, under Sections 283/338 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Najafgarh, Delhi and the proceedings emanating therefrom.
2. The petitioner and respondent Nos.2 and 3 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 or coercion vide a Settlement before the Mediation Centre, Dwarka Courts, New Delhi on 3.2.2018 and a Compromise/Settlement Deed dated 24.2.2018.

3. Respondent Nos.2 and 3, who are present in Court, have reiterated the aforesaid facts and submitted that the petitioner has paid the entire amount to them and now nothing remains due to them from the petitioner in terms of the settlement arrived at between the parties. Respondent Nos.2 and 3 further submitted that they have no objection to the petition being allowed and the FIR being quashed.

4. Learned counsel for the petitioner submitted that in view of the no objection of the respondent Nos.2 and 3, the present petition may be allowed and the FIR may be quashed.

5. The Investigating Officer ('IO'), who is present in Court, has identified the petitioner as well as respondent Nos.2 and 3 and has also verified the settlement arrived at between the parties.

6. Learned counsel for the petitioner submitted that the petition may be allowed and the FIR may be quashed, subject to any condition whichever this Court may deem fit and proper.

7. 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. 386/2014, under Sections 283/338 of the IPC, registered at P.S.: Najafgarh, Delhi and the proceedings emanating therefrom are quashed subject to cost of Rs.25,000/- to be paid by the petitioner within 14 days, out of which Rs.10,000/- be deposited in the Bharat Ke Veer Corpus Fund, Rs.5,000/- in the Delhi High Court Advocates' Welfare Trust, Rs.5,000/- with 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 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 petitioner fails 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

APRIL 30, 2019/rk