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

+ CRL.M.C. 2747/2018 & CRL.M.A. 9781/2018

M/S ORION PROJETS & ORS. Petitioners

Through: Mr. Sidharth Arora, Adv. with
the petitioner in person

versus

STATE & ANR. Respondents

Through: Mr. Ashish Dutta, APP with SI
Vishvendra, PS Paharganj,
Delhi
Ms. Sahiba Singh, Adv. for R-2
with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **09.05.2019**

CRL.M.A. 9781/2018 (for condonation of delay)

In view of the cause submitted in the application, the delay in re-filing the petition is condoned. Application stands disposed of.

CRL.M.C. 2747/2018

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0151/2017, under Sections 287/337 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Pahar Ganj, New Delhi and the proceedings emanating therefrom.
2. Sub-Inspector Raj Kumar is present, however, status report has not been filed.

3. The petitioners and respondent No.2 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 Agreement dated 8.3.2018.

4. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that the petitioners have to pay the balance amount of Rs.1.25 lacs to him in terms of the settlement arrived at between the parties. Respondent No.2 further submitted that in case the petitioners make the payment of the balance amount of Rs.1.25 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 a demand draft bearing No.752480 dated 11.4.2019 for an amount of Rs.1.25 lacs which has been handed over to the respondent No.2 today in the Court. Learned counsel for the petitioners submitted that in view of the payment of the balance amount to the respondent No.2, the present petition may be allowed and the FIR may be quashed subject to any condition whichever this Court may deem fit and proper.

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 arrived at between the parties. IO also stated that there is no other criminal case pending against the petitioners.

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.0151/2017, under Sections 287/337 of the IPC, registered at P.S.: Pahar Ganj, New Delhi and the proceedings emanating therefrom are quashed subject to cost of Rs.25,000/- to be paid by the petitioners 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 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

MAY 09, 2019/rk