

\$~27

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

+ **CRL.M.C. 2187/2018 & CRL.M.A.7771/2018**

ASHOK BHARDWAJ & ANR Petitioners

Through: Mr. Rakesh Saini, Advocate
with the petitioners in person

versus

**THE STATE (GOVT OF NCT OF DELHI)
& ANR**

...Respondent

Through: Mr.Ashish Dutta, APP with SI
Parveen Kumar, PS Kotwali,
Delhi
R-2 in person with his counsel

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

18.03.2019

CRL.M.C. 2187/2018 & CRL.M.A.7771/2018

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.109/2008 under Sections 420/467/471/34 of the Indian Penal Code, 1860 (IPC), registered at Police Station Kotwali, New Delhi and the proceedings emanating therefrom.

2. The petitioner and respondent No.2 as well as the learned counsel for the parties submitted that the parties have settled the matter *inter se* between themselves on their own free will without any force or coercion. Learned counsel for the parties submitted that the petitioner No.1 and the respondent No.2 are real brothers and they

have amicably settled the matter between themselves. Learned counsel for the parties prayed that in the interest of justice, the petition may be allowed and the FIR may be quashed.

3. 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. Status report has also been filed on record. IO, on the query of the Court, submitted that the parties have no criminal antecedents.

4. In view of the aforesaid circumstances, the settlement arrived at between the parties, taking into consideration the relationship between the parties as well as in the interest of justice and to allow the parties to live with peace and harmony, 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. 109/2008 under Sections 420/467/471/34 of the IPC, registered at Police Station Kotwali, registered at Police Station CWC/Nanakpura, New Delhi and all the consequential proceedings arising out of the FIR are quashed subject to cost of Rs.30,000/- 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.10,000/- in the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 and Rs.10,000/- in the Delhi High Court Advocates' Welfare Trust 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.

5. Petition is disposed of in above terms. Pending application is also disposed of.

CHANDER SHEKHAR, J

MARCH 18, 2019/rk