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

+ **CRL.M.C. 2332/2018**

VARUN JUPALLY & ORS

.... Petitioners

Through

Ms. Geeta Luthra, Sr. Adv.
with Mr. Gautam Bajaj, Mr.
Dishit Bhattacharjee and Mr.
Prateek Yadav, Advs. with
petitioners in person

versus

THE STATE (NCT OF DELHI) & ANR Respondents

Through

Mr. Raghuvinder Verma, APP
with Insp. Ramesh Kumar
Singh, EOW, Mandir Marg
Mr. Yogesh Saxena, Adv. for
R-2 with the partner of R-2 in
person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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30.07.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.654/2014 dated 28.11.2014, under Sections 406/409/420/468/471/120-B/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Bharat Nagar, Delhi and the proceedings emanating therefrom.

2. The petitioners and partner of the respondent No.2 as well as learned counsel for the parties submitted that the parties have settled their disputes on their own free will, without any force or coercion

vide MOU dated 8.11.2016, 15.5.2017 and 5.6.2018.

3. Partner of the respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that the petitioners have already paid the entire amount to the respondent No.2 and now nothing remains due from the petitioners. Partner of the respondent No.2 further submitted that he has no objection to the petition being allowed and the FIR being quashed.

4. Learned Senior Counsel for the petitioners submitted that in view of the no objection from the partner of the respondent No.2, 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 petitioners as well as partner of the respondent No.2 and has also verified the settlement.

6. Learned Senior Counsel for the petitioners submitted that the petitioners are ready and willing to contribute a sum of Rs.2 lacs for some social beneficial cause in any trust or association.

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 the petitioners a chance to reform and reintegrate into the society as productive members. The petitioners are warned to be careful in future and to not indulge in such activities again. 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.654/2014 dated 28.11.2014, under Sections 406/409/420/468/471/120-B/34 of the IPC, registered at P.S.: Bharat Nagar, Delhi and the proceedings emanating therefrom are quashed subject to cost of Rs.2,00,000/- to be paid by the petitioners within three weeks, out of which Rs.40,000/- be deposited in the Bharat Ke Veer Corpus Fund, Rs.40,000/- in the Delhi High Court Advocates' Welfare Trust, Rs.40,000/- with the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820, Rs.40,000/- Prime Minister's National Relief Fund (PMNRF) and Rs.40,000/- 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 four weeks. Copy of the receipts shall also be handed over to the APP through the I.O. within four 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

JULY 30, 2019/rk