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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2564/2018**
NIKUNJ AGGARWAL & ORS. Petitioners
Through: **Ms. Anita Sharma, Advocate**

versus

GOVT. OF NCT OF DELHI AND ANR. Respondents
Through: **Mr. Amit Chaddha, APP**

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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26.08.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.1069/2003, under Sections 120B/420/406 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Uttam Nagar, Delhi and the proceedings emanating therefrom.
2. The petitioners and their counsel as well as respondent No.2 submitted that the parties have settled their disputes on their own free will, without any force or coercion vide settlement agreement dated 24.4.2018, in terms whereof the petitioners were to pay a sum of Rs.3,00,000/- to the respondent No.2.
3. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that in case the petitioners pay a sum of Rs.3,00,000/-, as per the settlement, to him, he has no objection to the petition being allowed and the FIR being quashed.

4. Learned counsel for the petitioners submitted that the petitioners have brought a cheque bearing No.857627, for a sum of Rs.3,00,000/-, dated 25.8.2019, which has been handed over to the respondent No.2 in the Court today.

5. Learned counsel for the petitioners further submitted that in view of the payment made, the FIR may be quashed. Learned counsel for the petitioners also submitted that the petitioners are ready and willing to contribute a sum of Rs.40,000/- for some social beneficial cause and deposit the same in any trust or association.

6. Learned APP, on instructions, has identified the petitioners as well as respondent No.2 and has also verified the settlement arrived at between the parties.

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 them a chance to reform and reintegrate into the society as a 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. 1069/2003, under Sections 120B/420/406 of the IPC, registered at P.S.: Uttam Nagar, Delhi and the proceedings

emanating therefrom are quashed, subject to encashment of cheque and cost of Rs.40,000/- to be deposited by the petitioners within two weeks, out of which Rs.10,000/- be deposited 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, Rs.10,000/- be deposited in the Bharat Ke Veer Corpus Fund and Rs.10,000/- be deposited with 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 three weeks. Copy of the receipts shall also be handed over to the APP through the I.O. within three 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

AUGUST 26, 2019

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