

\$~28

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

+ **CRL.M.C. 4002/2018 & CRL.M.As.29633-34/2018**

RAJESH KUMAR

..... Petitioner

Through: Mr. Sunil Sharma, Ms. Achal
Kaushik and Mr. Tushar
Sharma, Advs. with the
petitioner in person

versus

STATE OF NCT OF DELHI & ANR. Respondents

Through: Mr. Kamal Kumar Ghei, APP
with SI Anil Kumar, PS Neb
Sarai, Delhi
R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

29.03.2019

CRL.M.As. 29633-34/2018 (for exemption)

Allowed, subject to all just exceptions. Application stands disposed of.

CRL.M.C. 4002/2018

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.1734/2015 under Sections 354-B/323/506/34 of the Indian Penal Code, 1860 (IPC), registered at Police Station Neb Sarai, New Delhi and the proceedings emanating therefrom.

2. The petitioner and respondent No.2, present in the Court, as well as the learned counsel for the petitioners submitted that the parties have settled their disputes on their own free will, without any force, pressure or coercion and have entered into a Settlement Agreement dated 30.1.2018 in pursuance whereof it has been agreed that the respondent No.2 shall withdraw all the allegations made by her against the petitioner.

3. Respondent No.2, present in the Court, submitted that the petitioner has already tendered unconditional apology to her and in view of the unconditional apology tendered by the petitioner and the promise made to her by petitioner that he shall not create any problem to her and her family members in future, she has forgiven him and does not want to continue proceedings against the petitioner. Respondent No.2 further submitted that she has no objection to the petition being allowed and the FIR being quashed.

4. The petitioner has also tendered unconditional apology to the respondent No.2 in the Court today. The petitioner submitted that he shall not indulge in any such activity in future.

5. The Investigating Officer ('IO'), who is present in Court, has identified the petitioner as well as respondent No.2 and has also verified the settlement arrived at between the parties.

5. In view of the aforesaid circumstances and the settlement arrived at between the parties as well as taking into consideration the age of the petitioner and the socio-economic condition, this Court deems it proper to give the petitioner a chance to reform and

reintegrate into the society as a productive member. The petitioner is made aware of the consequences in case he indulges in any such activity in future. Accordingly, in the interest of justice, FIR No. 1734/2015 under Sections 354-B/323/506/34 of the IPC, registered at Police Station Neb Sarai, New Delhi and all the consequential proceedings arising out of the FIR are quashed subject to cost of Rs.2,500/- to be deposited by the petitioner in the Bharat Ke Veer Corpus Fund within two weeks and receipt of the deposit be filed in the Registry within 21 days. Copy of the receipt 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.

6. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

MARCH 29, 2019/rk