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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3959/2018 & CRL.M.A.29458/2018**

NIRMALA PRASAD & ORS. Petitioners

Through: Mr. Gautam Kumar, Mr. Mukul
Kumar & Mr. Mukul Kumar,
Advocates

versus

THE STATE (GOVT. OF NCT OF DELHI) & ORS.

..... Respondents

Through: Mr. Raghuvinder Verma, APP
with SI Pankaj,
PS:V.K.(North), Delhi
Mr. Ravi Mehta & Mr.
Gurpratap Singh, Advocates for
respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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09.08.2019

1. Issue notice. Notice is accepted by the learned APP on behalf of the State and by learned counsel for respondent No.2.
2. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.442/2010, under Sections 341/323/354/506/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.:Vasant Kunj (North), Delhi and the proceedings emanating therefrom.
3. The petitioners and respondent No.2 as well as their respective counsel submitted that the parties have settled their

disputes on their own free will, without any force or coercion vide Memorandum of Settlement dated 13.7.2018.

4. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that the parties are neighbours and have amicably settled their disputes. Respondent No.2 further submitted that he has no objection to the FIR being quashed and the petition being allowed.

5. Learned counsel for the petitioners submitted that the present petition may be allowed and the FIR may be quashed, subject to any condition that this Court may deem fit and proper. Learned counsel for the petitioners submitted that the petitioners are ready and willing to contribute a sum of Rs.10,000/- for some social beneficial cause in any trust or association.

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.

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 productive members. 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.442/2010, under Sections 341/323/354/506/34 of the IPC, registered at P.S.:Vasant Kunj (North), Delhi and all the proceedings emanating therefrom are quashed, subject to deposit of a sum of Rs.10,000/- within two weeks by the petitioners, out of which Rs.5,000/- be deposited with the Delhi High Court Advocates' Welfare Trust and Rs.5,000/- in the High Court of Delhi, Middle Income Group Legal Aid Society, UCO Bank, Account No.15530110135488 and the receipts of the deposits be filed in the Registry within two weeks. Copy of the receipts shall also be handed over to the APP through the I.O. within two 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. Pending application is also disposed of.

CHANDER SHEKHAR, J

AUGUST 09, 2019

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