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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 4073/2018 & CRL.M.A. 29875/2018
KLJ POLYMERS AND CHEMICALS LTD..... Petitioner
Through: Mr. Vikas Sharma, Advocate

versus

THE STATE (NCT OF DELHI) & ANR. Respondents
Through: Mr. Kamal Kumar Ghai, APP
with SI Amit Kumar Kundu,
PS:Moti Nagar, Delhi
Mr. Nitesh Negi, Advocate for
respondent No.2

CORAM:
HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER
% **03.04.2019**

1. Status report filed.
2. Respondent No.2 has filed a fresh affidavit, wherein he has stated that he continues to be under the employment of the petitioner company and all the disputes and differences have been settled, as per the Memorandum of Understanding (MoU) dated 2.8.2018 and has no objection to the FIR being quashed.
3. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.557/2016, under Sections 287/337 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.:Moti Nagar, Delhi and the proceedings emanating therefrom.

4. The petitioner 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 the said MoU dated 2.8.2018.

5. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that he has received the amount of Rs.85,000/- as compensation in cash from the petitioner, which, according to him is as per law and is satisfied with the amount paid by the petitioner.

6. Learned APP submitted that he has no objection if the FIR is quashed, however, the petitioner should not dispense with the services of respondent No.2, at least for two years, except on the disciplinary ground.

7. Learned counsel for the petitioner submitted that the petitioner has already paid the compensation to respondent No.2 and is providing all the medical facilities and bearing all the expenses for the same. Learned counsel for the petitioner further submitted that the petitioner shall not dispense with the services of respondent No.2, at least for two years, except in case of serious misconduct, that too as per law. The statement of learned counsel for the petitioner is taken on record and the petitioner shall remain bound by the same.

8. The Investigating Officer ('IO'), who is present in Court, has identified the petitioner as well as respondent No.2.

9. In view of the aforesaid circumstances, the settlement arrived at between the parties and the compensation amount received by respondent No.2, 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.557/2016, under Sections 287/337 of the IPC, registered at P.S.:Moti Nagar, Delhi and all the proceedings emanating therefrom are quashed, subject to deposit of a sum of Rs.25,000/- within two weeks by the petitioner, out of which Rs.10,000/- be deposited in the Bharat Ke Veer Corpus Fund, Rs.5,000/- in the Delhi High Court Advocates' Welfare Trust, Rs.5,000/- with the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 and Rs.5,000/- with Delhi High Court Staff Welfare Fund, SB A/c No.15530110074442 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 petitioner fails to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders.

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

Dasti.

CHANDER SHEKHAR, J

APRIL 03, 2019/tp