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

+ CRL.M.C. 4509/2018

JAVED KHAN & ORS

.... Petitioners

Through: Mr. Waseem Ansari, Adv. with
the petitioners in person

versus

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

Through: Mr.Panna Lal Sharma, APP
with SI Vishvendra, PS
Paharganj, Delhi
R-2 & 3 in person.

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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07.05.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.712/2015, under Sections 354-B/323/341/506/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Pahar Ganj, Delhi and the proceedings emanating therefrom.
2. Respondent Nos.2 and 3 have filed the response by way of affidavits.
3. The petitioners and respondent Nos.2 and 3 as well as learned counsel for the petitioners submitted that the parties have settled their disputes on their own free will, without any force or coercion vide a Memorandum of Settlement dated 16.8.2018.
4. Learned counsel for the petitioners submitted that the petition

may be allowed and the FIR may be quashed, subject to any condition that this Court may deem fit and proper.

5. Respondent Nos.2 & 3, who are present in Court, have reiterated the aforesaid facts and submitted that since the petitioners have tendered unconditional apology to them and have assured that they shall not indulge in such activities in future, they have now forgiven the petitioners and has no objection to the petition being allowed and the FIR being quashed.

6. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners as well as respondent Nos.2 and 3 and has also verified the settlement. The IO stated that there is no other criminal case pending against the petitioners.

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.712/2015, under Sections 354-B/323/341/506/34 of the IPC, registered at P.S.: Pahar Ganj, Delhi and the proceedings emanating therefrom are quashed subject to cost of Rs.15,000/- to be paid by the petitioners within 14 days, out of

which Rs.5,000/- be deposited in the Bharat Ke Veer Corpus Fund, Rs.5,000/- in the Delhi High Court Advocates' Welfare Trust and Rs.5,000/- 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 21 days. Copy of the receipts shall also be handed over to the APP through the I.O. within 21 days. 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

MAY 07, 2019/rk