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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5487/2018 & CRL.M.A.35157/2018**

HARPAL & ANR Petitioners

Through: Mr. Naveen Kumar, Advocate

versus

THE STATE & ORS Respondents

Through: Mr. Kamal Kumar Ghai, APP

Mr. K.I. Khan, Advocate for
respondent Nos.2&3

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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08.04.2019

1. This is a petition under Section 482 of the Code of Criminal Procedure, 1973 for passing appropriate order/direction quashing of judgment dated 3.4.2018 and order on sentence dated 7.4.2018 passed by the learned Metropolitan Magistrate, South-East District, Saket Court, New Delhi in FIR No.1010/2004, under Sections 324/326/506/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Kalkaji, Delhi and the proceedings emanating therefrom in case titled State vs. Harpal & Anr.

2. In this matter, a report was sought from the Appellate Court to verify the genuineness of the settlement dated 29.9.2018 effected between the parties.

3. A report in this respect, dated 14.11.2018, has been received from the Appellate Court, wherein the learned Additional Sessions Judge has stated that he is satisfied that the

compromise between the parties is genuine.

4. In view of the fact that the parties have entered into a compromise and the learned ASJ has submitted his report in support of genuineness of the compromise dated 29.9.2018, the present petition is allowed and FIR No.1010/2014 under Sections 324/326/506/34, registered at PS:Kalkaji, Delhi and all the proceedings subsequently arising therefrom *qua* the accused/petitioners are quashed, in terms of the compromise deed dated 29.9.2018.

5. Consequently, the judgment on conviction dated 3.4.2018 and order on sentence dated 7.4.2018 passed by the Trial Court are set aside. The appeal preferred by the accused/petitioners against the aforesaid judgment and order on sentence is rendered infructuous and shall be declared so by the Appellate Court.

6. In view of the above, the petition is disposed of, subject to deposit of a sum of Rs.5,000/- within two weeks by the petitioners in Bharat Ke Veer Corpus Fund and the receipt of the deposit be filed in the Registry within two weeks. Copy of the receipt 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. Pending application is also disposed of.

CHANDER SHEKHAR, J

APRIL 08, 2019/tp