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

+ **CRL.M.C. 5467/2018**

**NARESH KUMAR & ANR**

Through

..... Petitioners

Mr. Sadiq Ali, Advocate for  
petitioner no. 1 & 2

versus

**STATE & ORS**

Through

..... Respondents

Mr. Ashish Dutta, APP with SI  
Makhan Singh ASI Mahabuir  
Singh PS. Neb Sarai  
Mr. Amandeep Sharma,  
Advocate for R-2 & 3

**CORAM:**

**HON'BLE MR. JUSTICE CHANDER SHEKHAR**

**ORDER**

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**16.01.2019**

1. The petitioners have moved the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.1161/2014, under Sections 354/354B/451/506/323/509/34 of the Indian Penal Code, 1860, registered at PS: Neb Sarai, South Delhi and the proceedings emanating therefrom.

2. The petitioners and respondent Nos.2 and 3 as well as their respective counsel submitted that the parties have settled their disputes vide Settlement Deed dated 7.9.2018 on their own free will, without any force, pressure or coercion.

3. Respondent Nos.2 and 3, who are present in the Court, stated that the petitioners have tendered unconditional apology for their

conduct.

4. Further, the respondent Nos.2 and 3, on a query of the Court, specifically submitted that the matter has been settled between the parties on their own free will, without any force, pressure or coercion. It is further submitted by the respondent Nos.2 and 3 that in view of the apology tendered by the petitioners, they have forgiven the petitioners and do not want to continue with the complaint and the proceedings emanating therefrom. They further submitted that the present petition may be allowed and the FIR may be quashed.

5. Learned counsel for the petitioners submitted that taking into consideration the age of the petitioners and unqualified apology tendered by them to respondent Nos. 2 and 3, they may be given a chance to reintegrate in the society as productive citizens. The petitioners have also stated that they shall not indulge in any criminal activity in future.

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 about the settlement.

7. Taking into consideration the submission of the parties, as well as the settlement arrived at between them, I deem it appropriate to give a chance to the petitioners to reform and reintegrate into the society as respectable and honourable citizens of the country.

8. In view of the aforesaid circumstances, the settlement arrived at between the parties, this Court is 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. 1161/2014, under Sections 354/354B/451/323/506/509/34 of the Indian Penal Code, 1860, registered at PS: Neb Sarai, South Delhi and the proceedings emanating therefrom are quashed, subject to deposit of a sum of Rs.10,000/-, within ten days, by the petitioners, out of which Rs. 5,000/- be deposited in the Delhi High Court Advocates' Welfare Trust and Rs. 5,000/- be deposited in the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 and the receipts of the said deposit be filed in the Registry within three weeks. A copy of the receipts shall also be handed over to the APP through the I.O. within three weeks. In case the petitioners fail to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders.

9. Petition is disposed of in above terms.

**CHANDER SHEKHAR, J**

**JANUARY 16, 2019/sk**