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

+ **CRL.M.C. 5653/2018**

LALA @ LAKHANLAL & ANR. Petitioners

Through: **Mr. S.G. Goswami, Advocate.**

versus

STATE & ANR Respondents

Through: **Mr. Amit Chadha, APP for the State with
SI Amit Kumar, PS Kalyanpuri.
Mr. Neeraj Thakur, Advocate for R-2.
Respondents in person.**

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **05.09.2019**

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.471/2017, under Section 308/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Kalyanpuri, Delhi and the proceedings emanating therefrom.

2. The petitioners and their counsel as well as respondent Nos.2 and 3 submitted that the parties have settled their disputes on their own free will, without any force or coercion vide settlement agreement dated 05.10.2018.

3. Respondent Nos.2 and 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 them and have no objection to the petition being allowed and the FIR being quashed. Affidavits of respondent Nos.2 and 3 in this regard are already on record.

4. Learned counsel for the petitioners submitted that the petitioners are ready and willing to contribute a sum of Rs.20,000/- for some social beneficial cause and deposit the same in any trust or association.

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

6. 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. The petitioners are warned to be careful in future and to not indulge in such activities again. Taking into consideration the aforesaid facts and the remorseful attitude of the petitioners, 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.471/2017, under Section 308/34 of the IPC, registered at P.S.: Kalyanpuri, Delhi and the proceedings emanating therefrom are quashed, subject to costs of Rs.20,000/- to be deposited 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, Rs.5,000/- with the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 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.

7. The petition is disposed of in the above terms.

CHANDER SHEKHAR, J.

SEPTEMBER 05, 2019

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