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

+ CRL.M.C. 6147/2018

AL AZHAR TECHNOCRAFTS (P) LTD. & ORS.

..... Petitioners

Through: Mr. S.K. Sharma, Advocate.

versus

STATE & ANR.

..... Respondents

Through: Mr. Amit Chadha, APP for the State with
SI Amit Dutt, PS Lajpat Nagar.
Ms. Noor Chopra, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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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.734/2016, under Section 420 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Lajpat Nagar, New Delhi and the proceedings emanating therefrom.
2. Petitioner No.3 has executed Special Power of Attorney (SPA) in favour of petitioner No.2.
3. The petitioner No.2, who is the authorised representative of petitioner No.1, and the SPA holder of petitioner No.3 and their counsel as well as respondent No.2 submitted that the parties have settled their disputes on their own free will, without any force or coercion before the Mediation Centre, Saket Courts, New Delhi vide

settlement dated 02.02.2018.

4. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that since the petitioner No.2 has tendered unconditional apology to him and has assured that the petitioners shall not indulge in such activities in future, he has now forgiven them and have no objection to the petition being allowed and the FIR being quashed. Affidavit of respondent No.2 in this regard is already on record.

5. 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.

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

7. Taking into consideration the settlement arrived at between the parties and the aforesaid facts, 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. 734/2016, under Section 420 of the IPC, registered at P.S.: Lajpat Nagar, New Delhi and the proceedings emanating therefrom are quashed, subject to costs of Rs.20,000/- to be deposited by the petitioners within three weeks, 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.

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

CHANDER SHEKHAR, J.

SEPTEMBER 05, 2019

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