

\$~4

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

+ CRL.M.C. 6075/2018

DHEERAJ KUMAR

..... Petitioner

Through: Mr. M. Naushad, Adv. with the
petitioner in person

versus

STATE & ORS.

.... Respondents

Through: Mr.Ashish Dutta, APP with SI
Arun Kumar, HC Radhey Lal,
PS Hazrat Nizamuddin, Delhi
Mr. Pradeep Kumar, Adv. for
R-2 with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

26.03.2019

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.746/2015 dated 16.11.2015 under Sections 379/392/411 of the Indian Penal Code, 1860 (IPC), registered at Police Station Hazrat Nizamuddin, Delhi and the proceedings emanating therefrom.
2. The petitioner and respondent No.2 as well as the learned counsel for the parties submitted that the parties have settled their disputes on their own free will, without any force, pressure or coercion during the trial with the intervention of common friends, well wishers and respectable members of the society.
3. Respondent No.2, present in the Court, submitted that the

petitioner has already tendered unconditional apology to him and in view of the unconditional apology tendered by the petitioner, he has forgiven him and does not want to continue proceedings against the petitioner. Respondent No.2 further submitted that he has no objection to the petition being allowed and the FIR being quashed.

4. The petitioner has also tendered unconditional apology to the respondent No.2 in the Court and assured the Court that he shall not indulge in any criminal activity in future.

5. The Investigating Officer ('IO'), who is present in Court, has identified the petitioner as well as respondent No.2 and has also verified the settlement arrived at between the parties.

6. In view of the aforesaid circumstances and the settlement arrived at between the parties as well as taking into consideration the age of the petitioner, assurance of the petitioner for not indulging in any criminal activity in future and the socio-economic condition, this Court deems it proper to give the petitioner a chance to reform and reintegrate into society as a productive member. The petitioner is warned not to involve in any criminal activity in future. Accordingly, in the interest of justice, FIR No. 746/2015 dated 16.11.2015 under Sections 379/392/411 of the IPC, registered at Police Station Hazrat Nizamuddin, Delhi and all the consequential proceedings arising out of the FIR are quashed subject to cost of Rs.5,000/- and the same be deposited by the petitioner within 14 days in the Bharat Ke Veer Corpus Fund and receipt of the deposit be filed in the Registry within 21 days. Copy of the receipt shall also be handed over to the APP

through the I.O. within 21 days. In case the petitioner fails to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

MARCH 26, 2019/rk