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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6561/2018**
SAKIB ALI & ORS. Petitioners

Through: Ms. Divya Jangid, Advocate

versus

STATE & ANR. Respondents

Through: Mr.Panna Lal Sharma, APP
with SI Karan Pal, PS:Sangam
Vihar, Delhi
Ms. Joshini Tuli, Advocate for
respondent N o.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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13.05.2019

CRL.M.A.4121/2019

Allowed, subject to all just exceptions. The application is
disposed of.

CRL.M.C. 6561/2018

1. Status Report stands filed.
2. Special Power of Attorney (SPA) has been executed by petitioner No.2 in favour of Sharafat Hussain, brother of petitioner No.2
3. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of all criminal proceedings in SC No.6935/2016

arising out of CC No.305/1/11, under Sections 506/34 of the Indian Penal Code, 1860 ('IPC') and Section 3 of the Scheduled Cast & Scheduled Tribe (Prevention of Atrocities), Act, 1989 (SC&ST Act), registered at P.S.:Sangam Vihar, Delhi and the proceedings emanating therefrom.

4. The petitioners and respondent No.2 as well as their respective counsel submitted that the parties have settled their disputes on their own free will, without any force or coercion vide Memorandum of Understanding-cum-Settlement Deed dated 22.11.2018.

5. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that since the matter stands settled, he has no objection to the petition being allowed and all the criminal proceedings in SC No.6935/2016 being quashed.

6. Learned counsel for the petitioners submitted that the present petition may be allowed and the SC No.6935/2016 may be quashed, subject to any condition that this Court may deem fit and proper.

7. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners as well as respondent No.2 and has also verified the settlement as well as the SPA executed by petitioner No.2 in favour of Sharafat Hussain.

8. 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 not indulge in such activities again. Taking into consideration the remorseful attitude of the petitioners, this Court is also 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, all criminal proceedings in SC No.6935/2016, arising out of CC No.305/1/11, under Sections 506/34 of the IPC and Section 3 of the SC&ST Act, registered at P.S.:Sangam Vihar, Delhi and the proceedings emanating therefrom are quashed, subject to deposit of a sum of Rs.5,000/- within two weeks by the petitioners in the Delhi High Court Advocates' Welfare Trust and the receipt of the deposits be filed in the Registry within three weeks. Copy of the receipt 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.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

MAY 13, 2019

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