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

+ CRL.M.C. 6544/2018

KRISHAN PODDAR Petitioner

Through: Mr. A.K. Dey, Advocate
with petitioner in person

versus

THE STATE (NCT OF DELHI) & ANR Respondents

Through: Mr. Kamal Kumar Ghai, APP
with IO in person
R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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21.01.2019

1. The petitioner has moved the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.152/2014, under Sections 354/354-A of the Indian Penal Code, 1860, registered at PS: Lodhi Colony, New Delhi and the proceedings emanating therefrom.

2. The petitioner and his counsel as well as respondent No.2 submitted that the parties have settled the disputes *inter se* between themselves vide Memorandum of Understanding dated 9.1.2019 on their own free will, without any force, pressure or coercion.

3. Respondent No.2, who is present in Court along with her husband, submitted that the matter has been settled on her own free will, without any force, pressure or coercion. Respondent

No.2 further submitted that since the petitioner has tendered unconditional apology to her and assured that he will not indulge in any such activity in the future, she has no objection to the petition being allowed and the FIR may be quashed. Respondent No.2 also submitted that the petitioner has already deposited the cost of Rs.5,000/- before the Trial Court.

4. Learned counsel for the petitioner submitted that taking into consideration the socio-economic condition of the petitioner as well as his age, a chance may be given to him to reform and reintegrate into the society as a good citizen.

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.

6. Taking into consideration the aforesaid facts, the age and socio-economic condition of the petitioner as well as in the interest of justice, I deem it appropriate to give the petitioner a chance to become a good citizen and reintegrate into the society as a productive member.

7. In view of the aforesaid circumstances, the settlement arrived at between the parties and taking into consideration the fact that the petitioner has tendered unconditional apology to respondent No.2, 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.152/2014, under Sections 354/354-A of the Indian

Penal Code, 1860, registered at PS: Lodhi Colony, New Delhi and the proceedings emanating therefrom are quashed, subject to the condition that the petitioner shall deposit, within ten days, a sum of Rs.7,500/- in the Delhi High Court Advocates' Welfare Trust and Rs.7,500/- 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 3 weeks and a copy of the said receipts shall also be handed over to the APP through the I.O. within 2 weeks. In case the petitioner fails to deposit the aforesaid amount, the prosecution shall be entitled to move an application for passing appropriate orders.

8. The cost of Rs.5,000/- deposited by the petitioner before the Trial Court, shall be paid to the respondent No.2, on respondent No.2 moving an appropriate application before the Trial Court.

9. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

JANUARY 21, 2019

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