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

+ **CRL.M.C. 5655/2019**

MAHENDER KUMAR & ORS. ... Petitioners

Through Mr.M.M.Aggarwal, Adv. with
the petitioners in person

versus

STATE & ORS. ... Respondents

Through Mr.Mukesh Kumar, APP with
SI Yad Ram
Mr. M.L.Khan, Adv. for
R-2 to R-6 with R-2 to R-6 in
person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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07.01.2020

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.111/2018, under Sections 308/323/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: R.K.Puram, Delhi and the proceedings emanating therefrom.
2. Copies of the orders dated 15.11.2019 and 3.12.2019 passed by the Trial Court compounding the compoundable offences have already been filed.
3. The petitioners and respondent Nos.2 to 6 as well as learned counsel for the petitioners submitted that the parties have settled their

disputes on their own free will, without any force or coercion vide a Memorandum of Understanding dated 18.10.2019.

4. Respondent Nos.2 to 6, who are present in Court, have reiterated the aforesaid facts and submitted that since they have settled the matter with the petitioners, they have no objection to the petition being allowed and the present FIR being quashed.

5. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners as well as respondent Nos.2 to 6 and has also verified the settlement. IO also stated that except the cross FIRs, the petitioners do not have any other criminal antecedents.

6. Learned counsel for the petitioners submitted that the petitioners are ready and willing to contribute a sum of Rs.25,000/- for some social beneficial cause in any trust or association.

7. 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 the petitioners a chance to reform and reintegrate into the society as productive members. The petitioners are warned to be careful in future and not to 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.111/2018, under Sections 308/323/34 of the IPC, registered at P.S.: R.K.Puram, Delhi and the proceedings emanating therefrom are quashed subject to

deposit of Rs.25,000/- 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, Rs.5,000/- in the Prime Minister's National Relief Fund 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 one week thereafter. In case the petitioners fail to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

JANUARY 07, 2020/rk