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

% *Date of decision: 16th September, 2020*

+ CRL.M.C. 1814/2020

JAI PRAKASH TIWARI & ORS. Petitioners

Through Mr. Ramit Rana, Ms. Sukriti Gupta,
Ms. Ananya Giri and Mr. Hariom
Gupta, Advs.

versus

STATE & ORS. Respondents

Through Mr. Hirein Sharma, APP for the State
with Insp. Naresh Kumar, North-East
District and SI Mahender Pratap in
person
Mr. Ankur Bhasin, Adv. for
respondent Nos.2 & 3 with
respondent Nos.2 & 3 in person

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (ORAL)

The hearing has been conducted through video conferencing.

CRL. M.A. 12759/2020 (exemption)

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

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3. Vide the present petition, petitioners seek direction thereby for quashing of FIR No.494/2017 dated 29.12.2017, registered at PS – Adarsh

Nagar, Delhi and all other proceedings arising therefrom.

4. Notice issued.

5. Notice is accepted by learned APP for State and by learned counsel for respondent Nos.2 & 3 and with the consent of counsel for parties, the present petition is taken up for final disposal.

6. The present petition is filed on the ground that parties have settled their disputes and respondent Nos.2 & 3 have no objection if the present petition is allowed.

7. Respondent Nos.2 & 3 are personally present in Court with their counsel through video conferencing and they have been identified by Insp. Naresh Kumar/IO and submit that matter has been settled and they do not wish to prosecute the matter any further.

8. Petitioners and respondent Nos.2 & 3 have entered into an amicable settlement vide a Compromise Deed dated 07.09.2020.

9. Learned APP has opposed the present petition by stating that the FIR in the present case was registered in the year 2017 and due to the registration of FIR, government machinery came in motion and a lot of precious public time has been consumed, therefore, if this Court is inclined to quash FIR, heavy cost may be imposed upon petitioners.

10. Learned counsel for petitioners, on instructions from petitioners, who are present in Court, has come forward and agreed to contribute an amount of Rs.5,00,000/- by each petitioner for welfare purposes. Accordingly, petitioners are directed to pay this amount in the following manner:-

- (a) Petitioner No.1 is directed to pay an amount of Rs.5,00,000/- in favour of Prime Minister National Relief Fund;
- (b) Petitioner No.2 is directed to pay an amount of Rs.5,00,000/- in favour of Chief Minister's Relief Fund Delhi.
- (c) Petitioner No.3 is directed to pay an amount of Rs.5,00,000/- in favour of Advocates' Welfare Fund, Bar Council of Delhi.
- (d) Petitioner No.4 is directed to pay an amount of Rs.5,00,000/- in favour of Nirmal Chhaya Complex, Jail Road, New Delhi for the welfare of destitute women and children.

11. Petitioners are directed to pay this amount within two weeks and receipt of the same shall be furnished to SHO/IO concerned.

12. Taking into account the aforesaid facts, this Court is inclined to quash FIR as no useful purpose would be served in prosecuting petitioners any further.

13. For the reasons afore-recorded, FIR No.494/2017 dated 29.12.2017,

registered at PS – Adarsh Nagar, Delhi and consequent proceedings emanating therefrom are quashed.

14. The petition is, accordingly, allowed and disposed of.

15. The order be uploaded on the website forthwith.

SURESH KUMAR KAIT, J

SEPTEMBER 16, 2020/rk

