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

Date of decision: 04.02.2021

+ CRL.M.C. 327/2021

KULDEEP SINGH

..... Petitioner

Through Ms.Aanchal Budhiraja, Adv. with
petitioner in person through VC.

versus

STATE & ANR.

..... Respondents

Through Mr.Panna Lal Sharma, APP for State.
Respondent no.2 in person through
VC.
SI Rajinder Kumar.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (O R A L)

The hearing has been conducted through video conferencing.

CRL. M.A.1684/2021

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

CRL.M.C.327/2021 & CrI.M.A. 1685/2021

3. Vide the present petition, petitioner seeks direction thereby for quashing of FIR No.109/2018 dated 27.11.2018, registered at PS – Old

Delhi (Delhi main) Railway Station, and all other proceedings arising therefrom.

4. Notice issued.

5. Notice is accepted by learned APP for State and by counsel for respondent no.2 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 No. 2 has no objection if the present petition is allowed.

7. Learned APP has opposed the present petition and submits that petitioner is serving as Head TT in Railways . On 26.11.2018 , he assaulted Respondent no.2 and thereafter forcibly took an amount of Rs.2,000/- from his pockets , therefore, if this Court is inclined to quash FIR, heavy cost may be imposed upon petitioner.

8. At this stage, learned counsel for petitioner, on instructions from petitioner, who is present in Court through video conferencing, has come forward and agreed to contribute an amount of Rs.50,000/- for welfare purposes.

9. Accordingly, petitioner is directed to pay Rs.25,000/- in favour of

Delhi Police Martyrs Fund and remaining Rs.25,000/- in the account of 'Bharat ke Veer' within one week and receipt of the same shall be furnished to IO concerned.

10. Respondent No.2 is personally present in Court and he has been identified by SI Rajinder Kumar/IO and submits that matter has been settled and he does not wish to prosecute the matter any further.

11. Petitioner and respondent no.2 have entered into an amicable settlement vide Memorandum of Understanding dated 29.12.2020.

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

13. For the reasons afore-recorded, FIR No.109/2018 dated 27.11.2018, registered at PS – Old Delhi (Delhi main) Railway Station, and consequent proceedings emanating therefrom are quashed.

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

15. Pending application also stands disposed of.

16. The order be uploaded on the website of this Court forthwith.

(SURESH KUMAR KAIT)
JUDGE

FEBRUARY 04, 2021/ab