
(2011) 12 DEL CK 0031

In the Delhi High Court

Case No : Criminal M.C. No. 4251 of 2011

Dinesh Singh and Others

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 19-12-2011

Acts Referred:

Penal Code, 1860 (IPC) — Section 320, 34, 406, 420

Citation : (2011) 12 DEL CK 0031

Hon'ble Judges : Suresh Kait, J

Bench : Single Bench

Advocate : Vikas Bharti, for the Appellant; Rajdipa Behura, APP for State, for the Respondent

Judgement

Suresh Kait, J.

CrI. M.A. No. 19570/2011 (exemption)

Exemption is allowed subject to just exceptions. Criminal M.A. stands disposed of.

CrI. M.C. No.4251/2011

1. Notice issued.
2. Ms. Rajdipa Behura, learned APP accepts notice on behalf of State.
3. Learned counsel for petitioners submit that instant petition is for quashing of the FIR No. 107/2010 u/s 406/420/34 Indian Penal Code, 1860 registered at police station Kapeshera, Delhi on the complaint of petitioner No. 1 against petitioner Nos. 2 to 4.
4. Learned counsel for petitioners submits parties have compromised the matter and petitioner No. 1 does not pursue his case anymore against petitioner Nos. 2 to 4.
5. I note that the instant petition has been filed by petitioner No. 1/ complainant and petitioner Nos. 2 to 4/ accused persons for quashing of the FIR which has

been registered u/s 406/420/34 Indian Penal Code, 1860 which falls under the category of compoundable offences as per Section 320 Indian Penal Code, 1860.

6. Petitioner No. 1 is personally present in the Court and submits that he has settled all the issues with the petitioner Nos. 2 to 4 qua the present FIR and he does not wish to pursue present case and he has no objection, if the present FIR is quashed.

7. Ms. Rajdipa Behura, learned APP for State, under instructions submits that the matter is pending for investigation and if this Court is inclined to quash the FIR, heavy costs should be imposed upon petitioner Nos. 2 to 4, as government machinery has been put into action and precious time of the Court has been used.

8. Taking the settlement between the parties and submission of petitioner No. 1, into view, FIR No. 107/2010 registered at police station Kapeshera, Delhi against petitioner Nos. 2 to 4 is hereby quashed.

9. I find force in the submission of learned APP for State regarding imposing costs.

10. Learned counsel for petitioners, on instruction from petitioner No. 2 submits that he is voluntarily ready to contribute a sum of Rs. 25,000/- for some welfare purpose.

11. Accordingly, petitioner No. 2 is directed to deposit the said amount of Rs. 25,000/- in favour of "Delhi Police Welfare Fund, PHQ, I.P. Estate, New Delhi" within two weeks from today. Proof thereof shall be placed on the record by petitioner No. 2.

12. I refrain in imposing any costs upon petitioner Nos. 3 & 4 due to the reasons that petitioner No. 3 is a "house-maker" lacking any source of income and petitioner No. 4 is employed as Khlassi in Delhi University on a meagre monthly salary of Rs. 7,500/-.

13. Consequently, Criminal M.C.No.4251/2011 is allowed & stands disposed of.

14. Dasti.