
(2011) 11 DEL CK 0347

In the Delhi High Court

Case No : Criminal M.C. No. 3930 of 2011

Parvez Alam and Others

APPELLANT

Vs

State and Another

RESPONDENT

Date of Decision : 29-11-2011

Acts Referred:

Penal Code, 1860 (IPC) — Section 34, 384

Citation : (2012) 1 AD 187

Hon'ble Judges : Suresh Kait, J

Bench : Single Bench

Advocate : V.K. Malik and Mr. Rahul Raj Malik, for the Appellant; Naveen Sharma, APP for State, Mr. Salim Ahmed, for respondent No. 2, SI Rajeev Vats IO and SI Shanti Prasad, DIU/South East, for the Respondent

Final Decision : Disposed Off

Judgement

Suresh Kait, J.

CRL. M.A. 18538/2011

1. Exemption is allowed subject to just exceptions.

Criminal M.A. stands disposed of.

CRL. M.C. 3930/2011

Notice issued.

2. Ld. APP accepts notice behalf of State.

3. Ld. Counsel for the petitioner submits that vide FIR no. 111 dated 28.04.2010 case u/s 384/34 IPC was registered against the petitioners on the complaint of respondent no. 2 at Police Station New Friends Colony.

4. He further submits that respondent no. 2 has amicably settled all the issues qua the aforesaid FIR and he is no more interested to pursue the case further.

5. Respondent no. 2 is personally present in the Court with his Counsel Sh. Salim Ahmed. On instruction he submits that respondent no. 2 has received a sum of Rs. 1,50,000/- from the family of Sadaqat Ali and he has settled all the issues qua aforesaid FIR and he is no more interested to pursue the case further. He further submits that respondent no. 2 has no objection if the present FIR is quashed.

6. Ld. APP on the other submits that if this Court is inclined to quash the FIR, heavy cost be imposed on the petitioner as the government machinery has been pressed and precious time of the court has been consumed.

7. Keeping the settlement into view and the statement of respondent no. 2, I quash the FIR No. 111/10 and emanating proceedings thereto.

8. Ld. Counsel for the petitioners on instruction submit that petitioners wish to contribute some amount for the welfare purposes. Petitioners shall deposit a sum of Rs. 5,000/- each in favor of School for Deaf, Sector-4, Rohini, Delhi within 2 weeks from today.

9. The Principal / Head Master of the said school is further directed to keep the total amount of Rs. 20,000/- in FDR initially for a period of one year and thereafter shall be renewed periodically. Interest accrued thereon shall be utilized for the needy children of the school.

10. It is made clear that contribution given by the petitioners is given voluntarily and shall not come any way in their service.

11. Crl. M.C. 3930/2011 is accordingly allowed on the above terms.

12. Since Crl.M.C.3930/2011 is allowed, Crl.M.A.18537/2011 (Stay) become infructuous and dismissed as such.

13. Dasti.