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**(2012) 01 DEL CK 0121**

**In the Delhi High Court**

**Case No : Criminal M.C. No. 210 of 2012**

Shiv Kumar and Others

APPELLANT

Vs

State and Another

RESPONDENT

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**Date of Decision :** 20-01-2012

**Acts Referred:**

**Citation :** (2012) 01 DEL CK 0121

**Hon'ble Judges :** Suresh Kait, J

**Bench :** Single Bench

**Advocate :** Madhu Mittal, for the Appellant; Navin Sharma, APP for State with SI Parshu Ram, police station Uttam Nagar, Delhi in person and Mr. Siya Ram, for R-2 with respondent in person, for the Respondent

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## **Judgement**

Suresh Kait, J.

Crl. M.A. No. 781/2012 (exemption)

Exemption is allowed subject to just exceptions.

Criminal M.A. stands disposed of.

Crl. M.C. No. 210/2012

1. Notice issued.

2. Mr. Navin Sharma, learned APP on behalf of respondent No.1/State and Mr. Siya Ram, learned counsel on behalf of respondent No.2 accept notice.

3. Learned counsel for parties jointly stated that vide FIR No.199/2009 dated 20.06.2009 u/s 420/406/120B Indian Penal Code, 1860 was registered against the petitioners at police station Uttam Nagar, on complaint of respondent No.2.

4. It is further submitted that vide compromise deed dated 07.01.2012, matter between the parties has been resolved and respondent No.2 is no more interested in pursuing his case.

5. Respondent No.2 is present in the Court with his learned counsel Mr. Siya Ram, who duly identifies him.

6. On instructions, learned counsel for respondent No.2 submits that matter qua the aforementioned FIR has been settled and he is no more interested in further pursuing his case. Respondent No.2 has no objection, if the present FIR is quashed.

7. Mr. Navin Sharma, learned APP for State on the other hand submits that matter is pending investigation and if this Court is inclined to quash the present FIR, heavy costs should be imposed upon the petitioners as in the process, government machinery has been pressed into and precious public time has been consumed.

8. Keeping the settlement between the parties, and the statement of respondent No.2 into view, FIR No.199/2009 registered against the petitioners at police station Uttam Nagar, is hereby quashed.

9. Finding force in the submission of learned APP, I hereby impose a costs of Rs. 50,000/- upon petitioner No.1. I refrain in imposing any costs upon the petitioner Nos.2 to 5 due to the poor financial position.

10. Petitioner No.1 is directed to deposit the amount of Rs. 50,000/-in favour of Government Secondary School for Deaf, B Block, Kalkaji, New Delhi, within four weeks from today. Proof thereof shall be placed on the record by petitioner No.1.

11. The Principal of said school is further directed to keep the said amount in the form of FDR with any nationalised bank initially for a period of three years to be renewed periodically and the interest accrued thereupon shall be utilised for the well being of the needy children of the school.

12. Accordingly, Criminal M.C.No.210/2012 is allowed and stands disposed of in above terms.

13. Dasti.