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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CNR No. DLHC010407822026
+ **CRL.M.C. 6397/2026, CRL.M.A. 26762/2026, CRL.M.A. 26763/2026 & CRL.M.A. 26764/2026**
NIRUPAM MALHOTRA Petitioner

Through: Mr. Satish Aggarwala and Ms. Mala Sharma, Advs.

versus

STATE (GOVT. OF NCT OF DELHI) & ORS. Respondents

Through: Mr. Ajay Vikram Singh, APP
SI Sudheer Kr., PS Paharganj and SI
Vijay Shankar, PS Sunlight Colony.

CORAM:

HON'BLE MS. JUSTICE MADHU JAIN

ORDER

% **01.09.2026**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of **FIR No.397/2017**, registered at Police Station Paharganj, for offences punishable under Sections 287 and 304A of the Indian Penal Code, 1860 (hereinafter referred to as the 'IPC'), along with all consequential proceedings arising therefrom.
3. The petition has been filed on the ground that a settlement has been arrived at between the petitioner and the legal representatives of the deceased. The petitioner has placed on record a settlement deed and documents pertaining to the payment made to the family of the deceased.
4. The brief facts giving rise to the present petition are that an incident occurred on 24.12.2017 at the Mechanical Laundry situated at/near the Northern Railway Hospital, Paharganj, Delhi, wherein a boiler allegedly burst. A workman, namely, Pradeep Chand Karan, sustained injuries in the



said incident and subsequently succumbed to the same. FIR No.397/2017 was consequently registered for offences punishable under Sections 287 and 304A IPC.

5. Upon completion of investigation, a charge-sheet was filed against the petitioner for the aforesaid offences. The petitioner has now approached this Court seeking quashing of the FIR and consequential proceedings primarily on the basis of the settlement stated to have been entered into with the legal representatives of the deceased.

6. Learned counsel for the petitioner submits that the parties have amicably settled the matter on 14.06.2018 and that a compensation amount of Rupees five lakh has been paid to the family of the deceased. It is submitted that in view of the settlement, no useful purpose would be served by continuation of the criminal proceedings.

7. Learned SSC, on the other hand, submits that the present matter has already proceeded before the learned Trial Court and is presently at the stage of recording of prosecution evidence. It is submitted that the criminal proceedings have progressed substantially and the matter is presently being tried by the competent Court.

8. This Court has considered the submissions advanced by the parties and perused the material placed on record.

9. There can be no dispute that a settlement deed has been placed on record by the petitioner. However, this Court cannot lose sight of the fact that the settlement relied upon by the petitioner is dated 14.06.2018. The present petition seeking quashing of FIR has, however, been filed before this Court only in the year 2026, nearly eight years after the alleged settlement. No satisfactory explanation has been placed before this Court for approaching



this Court after such a considerable lapse of time.

10. The passage of such a substantial period assumes significance in the facts of the present case. During this period, the investigation has been completed, the charge-sheet has been filed and the matter has proceeded before the learned Trial Court. As submitted by learned counsel appearing for the State, the trial has now reached the stage of recording of prosecution evidence. The petitioner, therefore, cannot be permitted to invoke the inherent jurisdiction of this Court after the lapse of nearly eight years from the date of the settlement, when the criminal proceedings have substantially progressed before the competent Trial Court.

11. The allegations in the present case arise out of the death of a workman following an alleged boiler blast at his workplace. The offences alleged against the petitioner are under Sections 287 and 304A IPC. The allegations, therefore, cannot be viewed as arising out of a purely private or personal dispute between the parties.

12. This Court also takes note of the submission of the learned SSC that the matter is presently at the stage of recording of prosecution evidence before the learned Trial Court. The learned Trial Court is, therefore, already seized of the matter and is competent to proceed with the trial in accordance with law.

13. The settlement deed dated 14.06.2018, being relied upon by the petitioner, is a matter which can be brought to the notice of the learned Trial Court. The learned Trial Court, being seized of the proceedings, may consider the effect, relevance and admissibility of the said settlement at the appropriate stage and strictly in accordance with law.

14. The inherent jurisdiction of this Court is undoubtedly wide; however,



the same is required to be exercised sparingly and with due regard to the facts and circumstances of each case. This Court cannot entertain petitions seeking quashing merely on the basis that the parties have subsequently arrived at a settlement, particularly where the criminal proceedings have already advanced to the stage of evidence and the Trial Court is seized of the matter.

15. It is also necessary to bear in mind that criminal trials are conducted before the jurisdictional Trial Courts established for adjudication of disputed questions of fact and appreciation of evidence. The High Court, while exercising its extraordinary and inherent jurisdiction, cannot be converted into a forum for examining or prematurely terminating every criminal proceeding which is otherwise pending before a competent Trial Court.

16. Having regard to the fact that the alleged settlement is dated 14.06.2018 and the petitioner has approached this Court for quashing only after nearly eight years, coupled with the fact that the trial is presently at the stage of prosecution evidence, this Court is not inclined to exercise its inherent jurisdiction under Section 528 BNSS.

17. It is clarified that this Court has not examined the merits of the allegations against the petitioner. The learned Trial Court shall proceed with the matter independently and in accordance with law, uninfluenced by any observations made in the present order.

18. The present petition is, accordingly, dismissed. Pending application(s), if any, also stand disposed of.

19. The order be uploaded on the website forthwith.

MADHU JAIN, J

SEPTEMBER 1, 2026/P