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

+ W.P.(CRL) 568/2015 & CrI.M.A No.4224/2015

MOHD.SAFIQ @ MUNNA KHAN Petitioner
Through: Mr.T.R.Sharma, Advocate.

versus

STATE GOVT. OF NCT OF DELHI & ANR..... Respondents
Through: Mr.Rajesh Mahajan, ASC for the
State.
SI Jitendra Joshi, P.S.Bawana.

CORAM:
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **06.07.2015**

The petitioner is the owner of a factory which manufactures cycle clutch plates.

While the respondent was on duty on 19.6.2012 as a machine man, molten aluminium which was poured in the furnace, splashed. This led to injuries to respondent No.2. The respondent No.2 lost one eye.

A case, therefore, was lodged by respondent vide FIR No.355/2012 (Police station Bawana), under Sections 287 and 337 of the Indian Penal Code.

The petitioner being the employer entered into an agreement with the respondent and agreed to pay an amount of Rs.1,60,000/- as compensation.

Pursuant to the said agreement, the petitioner paid the amount so agreed upon, to respondent which fact would be evident from the document at page 26 of the brief.

It appears that despite respondent No.2 having been served with the notice in the present petition, he has chosen not to appear.

Considering the fact that respondent no.2, after lodging the FIR, compounded the issue and entered into an agreement towards full and final satisfaction of his grievances by accepting an amount of Rs.1,60,000/- and accepted such amount also, no useful purpose will be served in allowing this proceeding to continue any further.

Learned counsel for the petitioner submits that allowing this matter to linger any further would only amount to an abuse of the process of the Court and the FIR and the resultant proceedings thereto ought to be quashed in keeping with the salutary provision of Section 482 of the Code of Criminal Procedure.

Heard the parties.

Though respondent No.2 has not appeared but the facts speak of themselves. In order to secure the ends of justice, this Court is inclined to exercise its jurisdiction to quash the FIR and the resultant proceedings pending before the Court of the Magistrate.

The FIR is quashed. All resultant proceedings are also quashed.

The petition is allowed and is disposed of accordingly.

Order dasti.

ASHUTOSH KUMAR, J

JULY 06, 2015

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