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

+ W.P.(CRL) 1081/2015

SHIVANAND BHARDWAJ & ANR Petitioners

Through: Mr. Sumit Arora, Adv.

versus

STATE OF NCT OF DELHI & ANR Respondents

Through: Mr. Mukesh Gupta, ASC with SI
Karmvir Singh, P.S. Malviya Nagar.
Mr. Satya Ranjan and Mr. Swain,
Adv. for R-2 & R-3 along with R-2
& R-3 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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22.05.2015

Respondent no. 2 is wife of deceased and respondent no. 3 is their daughter. Deceased was working on the construction site of the petitioners. It is not the case that building collapsed resulting in fatal injuries to the deceased. Deceased was sleeping on the third floor of the aforesaid building when in the night he fell down and sustained injuries. He was taken to a hospital but was discharged after providing medical assistance to him. However, unfortunately, he died subsequently on the same day.

Petitioners and respondent nos. 2 and 3 have now settled the matter vide Memorandum of Understanding/Compromise Deed dated 18th May, 2015, whereby petitioners have paid ₹3,30,000/- to the respondent nos.2 and

3, who are present in Court along with their counsel and have been identified by the Investigating Officer. Entire settled amount of ₹3.30 lacs has been received by the respondent nos. 2 and 3, in terms of the settlement and which fact has been admitted by them. They submit that they have no objection in case the FIR is quashed.

Keeping in mind facts and circumstances of the case and the settlement arrived at between the parties, I am of the view that no fruitful purpose would be served in keeping the FIR pending. Accordingly, in the interest of justice, FIR No. 1306/2014 under Sections 288/304-A IPC registered at police station Malviya Nagar and the consequent proceedings emanating therefrom are quashed.

Writ petition is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

MAY 22, 2015

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