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

+ CRL.M.C. 4062/2016

MRITYUNJAY RAI

..... Petitioner

Represented by: Ms. Nitika Bhutani and Ms.
Parul Dagar, Advs. with
petitioner.

versus

STATE (NCT OF DELHI) & ANR

..... Respondent

Represented by: Mr. Amit Ahlawat, APP with
Insp. J.R. Meena, PS
Bhajanpura.
R-2 and 3 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

02.12.2016

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By the present petition, the petitioner seeks quashing of FIR No.545/2005 under Sections 279/304A IPC registered at PS Bhajan Pura on the complaint of respondent No.2 alleging that his son who was working with the petitioner died due to electrocution. Respondent No.2 is father of deceased Papai @ Pappe who was unmarried and thus besides respondent No.2 the complainant the mother of the deceased who is class-1 heir has also been impleaded as respondent No.3 in the memo of parties.

Respondent Nos.2 and 3 are present in Court and state that they have settled the matter with the petitioner and a demand draft of ₹3 lakhs has been deposited by the petitioner before the Labour Commissioner in the name of Commissioner, Employee Compensation District which will be issued in favour of respondent No.2 pursuant to quashing of the above noted FIR. They further state that since they have settled the matter with the

petitioner as per MOU dated 16th March, 2016, they do not wish to pursue the above noted FIR and proceedings pursuant thereto. The petitioner who is present in Court and identified by learned counsel affirm the statement of respondent Nos. 2 and 3 and states that he will abide by the terms of MOU dated 16th March, 2016 a copy of which is annexed with the petition at pages 178 to 180.

Since the parties have settled the matter, no useful purpose will be served in continuance of the FIR and proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No.545/2005 under Sections 279/304A IPC registered at PS Bhajan Pura, Delhi and proceedings pursuant thereto are hereby quashed. The Labour Commissioner is directed to hand over an amount of ₹3 lakhs in favour of respondent No.2.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

The petition is disposed of. Order dasti.

MUKTA GUPTA, J.

DECEMBER 02, 2016
‘v mittal’