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

+ W.P.(CRL) 2073/2016

KISHAN

..... Petitioner

Through :Mr. Anil Singh and Mr. Ravinder
Gaur, Advs.

versus

STATE (GOVERNMENT OF N.C.T) & ORS. Respondents

Through :Mr. Sanjay Lao, ASC with SI Jasmer
Singh, P.S. Jahangir Puri
Respondent nos. 2 to 7 are in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **20.07.2016**

Respondent no. 3 is widow of deceased; whereas respondent nos. 4 to 6 are his minor children. Respondent no. 7 is mother of deceased. Respondent no. 2 is co-worker of the deceased, at whose statement, the present FIR No. 301/2016 under Section 304-A IPC has been registered at Police Station Jahangir Puri. Respondent no. 2 as well as deceased were working with the petitioner, who was working as a contractor of R.S. Electric Company at the relevant time. It is submitted that petitioner is a petty contractor and was assigned the job of digging trenches for laying the telephone line. While deceased and respondent no. 2 were digging the trench, deceased was electrocuted as an electricity underground live cable

was cut by them. Respondent no. 2 has alleged in the FIR that incident took place because of negligence of the contractor. During the pendency of investigation, petitioner and respondent nos. 3 to 7 have settled the matter on the terms and conditions as stipulated in the Compromise Deed dated 28th May, 2016 whereof petitioner has agreed to pay ₹6,50,000/- to the respondents as compensation.

Respondent nos. 2 to 7 are present in Court and have been identified by the Investigating Officer SI Jasmer Singh, P.S. Jahangir Puri. Respondent no. 7 submits that she is not interested in taking any amount and the entire amount be given to the respondent nos. 3 to 6. It is submitted that ₹1,50,000/- has already been paid to the respondent no. 3 receipt whereof has been admitted by the respondent no. 3. Remaining amount of ₹5,00,000/- has been paid today by the petitioner to respondent no. 3 by way of demand draft in the name of respondent no. 3. Respondent no. 3 has agreed to keep ₹1,00,000/- each in the FDR in the name of respondent nos. 4 to 6 till they attain majority. Photocopy of the FDRs be handed over to the Investigating Officer within 15 days.

Keeping in mind the facts alleged in the FIR and the fact that petitioner and respondent nos. 2 to 7 have compromised the matter,

inasmuch as petitioner has compensated the respondent nos. 2 to 6, FIR No. 301/2016 under Section 304-A IPC registered at Police Station Jahangir Puri and the consequent proceedings emanating therefrom are quashed. Petition is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

JULY 20, 2016
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