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

+ **W.P.(CRL) 2014/2016**

ISTKAR

..... Petitioner

Through: Mr. Saurabh Jhamb, Advocate along
with petitioner in person.

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR

..... Respondents

Through: Mr. Kranti Bhandari, Advocate along
with ASI Vijay Pal, PS-Greater
Kailash, for the State.
Mr. Vinod Kumar, Advocate for and
along with respondent No.2 in person

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
21.07.2016

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This petition has been preferred to seek quashing of FIR No.217/2016 dated 24.06.2016 registered under Section 288/ 337 IPC. The petition is premised on a compromise arrived at with the widow of the deceased/ victim late Mohseen, namely Rihana. The petitioner is a contractor by profession. He states that he works on contract basis for his clients. The deceased Mohseen was a labourer working with him on daily wages. On 24.06.2016, the deceased was working at the construction site situated at B-

199, 3rd Floor, Greater Kailash Part-I, New Delhi, where he met with an accident and fell from the 3rd Floor of the building. He got injured; was removed to the Saket City Hospital; and he expired undergoing treatment. Consequently, the aforesaid FIR came to be registered against the petitioner.

The petitioner has entered into a settlement with the widow of the deceased Ms.Rihana, who is present in Court and is represented through counsel. She is identified by the counsel as well as by the IO. She has also produced her Aadhaar Card as proof of her identity. Under the settlement, the petitioner has compensated respondent No.2 by making payment of Rs.5,50,000/-. Respondent No.2 states that she has received the entire amount. She also joins the prayer that the FIR in question may be quashed.

Considering the fact that an innocent life has been lost in an accident while the deceased was working as a daily wager with the petitioner, and the fact that the petitioner has compensated the widow of the deceased and she also joins the prayer for quashing the FIR in question, no useful purpose would be served in continuing with the further proceedings in the said case. At the same time, I am of the view that the petitioner should be subjected to some costs. Accordingly, subject to deposit of a sum of Rs.20,000/- by the petitioner into the Prime Minister's National Relief Fund within a period of four weeks, the FIR in question shall stand quashed. The petitioner shall provide to the IO the receipt of payment of costs.

VIPIN SANGHI, J

JULY 21, 2016

B.S. Rohella