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

+ **CRL.M.C. 2836/2016**

MOHIT CHADHA

..... Petitioner

Represented by: **Mr. Anil K. Mishra, Advocate**
with petitioner in person.

versus

STATE (NCT OF DELHI) & ORS

..... Respondents

Represented by: **Mr. Ravi Nayak, APP for the**
State with SI Uma Datt, PS
Mangol Puri.
Mr. V.N. Jha, Advocate for
respondent Nos. 2 to 6 with
respondent Nos. 3 to 6 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
08.08.2016

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By the present petition the petitioner seeks quashing of FIR No. 96/2010 under Sections 287/304A IPC registered at PS Mangol Puri, Delhi wherein one Mohd. Khalid, son of respondent Nos. 3 and 4, brother of respondent No.5 and husband of respondent No.6 has passed away. The allegations in the FIR are that when the deceased was washing the vehicle through the motor, electrocution took place and he died.

Issue notice. Learned APP accepts notice on behalf of the State.

Learned APP for the State on instructions from the Investigating Officer states that the besides the petitioner there is no other accused. He points out that respondent No.2 is not the victim in the FIR but only an

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informant being present at the spot. Respondent Nos. 3 to 6 are the parents, sister and wife of the deceased and no other victim or complainant is involved in the present FIR. Learned APP points out towards the settlement arrived at between the parties before the Commissioner, North-West District, Labour Welfare Centre, Govt. of NCT of Delhi. As per the settlement ₹5 lakhs were agreed to be paid to respondent Nos. 3 to 6 in different proportionate. When the matter came up for hearing before this Court, this Court found that the amount being given to the widow of Mohd. Khalid was less than her entitlement and thus the parties reconsidered the matter. On reconsideration it has been agreed that out of the total sum of ₹5 lakhs awarded as compensation of the death of Mohd. Khalid, half amount, that is, ₹2.50 lakhs will be given to respondent No.6 Ms. Tarannum Parveen and the other half being ₹2.50 lakhs to respondent Nos. 3, 4 and 5 collectively. Respondent Nos. 3, 4 and 5 who are present in Court and are identified by their counsel and the Investigating Officer, states that they have settled the matter with the petitioner and in terms of the settlement Ms. Sahana Parveen has received a sum of ₹1 lakhs, Mohd. Kayum received a sum of ₹50,000/- and Rajeena Khatoon a sum of ₹50,000/- making it a total of ₹2 lakhs. The balance amount of ₹50,000/- has been given to Ms. Rajeena Khatoon by way of Demand Draft No.504449 and Cheque No.630943 dated 8th August, 2016 drawn on ICICI Bank, Karol Bagh, Delhi. They state that they have no claim whatsoever remaining against the petitioner and they do not wish to pursue the abovenoted FIR and the proceedings pursuant thereto.

Ms. Taranum Parveen, who is present in Court and is identified by the
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learned counsel and the Investigating Officer states that she has received a sum of ₹1 lakhs. She has also received a further sum of ₹1.50 lakhs today by way of Demand Draft No.504447 and Cheque No.630944 dated 8th August, 2016 drawn on ICICI Bank, Karol Bagh, Delhi. She states that she has no claim whatsoever remaining against the petitioner and she does not wish to pursue the abovenoted FIR and the proceedings pursuant thereto.

Petitioner, who is also present in Court and is identified by the learned counsel states that he will abide by the terms of settlement.

In view of the fact that the parties have amicably resolved their differences of their own free will, volition and without any coercion and no useful purpose will be served in continuance of the proceedings, rather the same would create further acrimony between them, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 96/2010 under Sections 287/304A IPC registered at PS Mangol Puri, Delhi and proceedings pursuant thereto are hereby quashed.

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.

AUGUST 08, 2016
‘vn’

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