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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 2636/2016 & CrI.M.A.14139/2016
SATYA PAL SHARMA Petitioner
Through : Mr. Avinash Yadav, Adv. with
petitioner in person.
versus

STATE (NCT OF DELHI) & ORS Respondents
Through : Mr. Ashish Aggarwal, ASC with SI
Jasmer Singh PS Jahangir Puri.
Respondent no.2 in person.

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **09.09.2016**

Present FIR No.1009/2015 under Sections 287/338 IPC was registered at police station Jahangir Puri on the information received from constable Ajeet posted at BJRM Hospital that respondent no.2 was admitted in the hospital with the history of amputation of her hand. She was admitted in the hospital by the factory manager Mr. Satpal Sharma. Investigating Officer reached the hospital and obtained MLC of respondent no.2. He also tried to record the statement of respondent no.2 but she declined to give any statement except that she was living with her brother and used to work in a soldering wire factory at Bhalswa Dairy. Investigating Officer visited the factory and seized the machine.

Thereafter, Investigating Officer contacted respondent no.2, who was under treatment at St. Stephen's Hospital, Delhi. He recorded her statement wherein she stated that she was cleaning the factory, her dupatta came under the gear of the machine and when she tried to pull out her dupatta, her left arm was crushed. She stated that there was no foul play and nobody was to be blamed for the accident. In her statement under Section 164 Cr.P.C. also she has made similar statement and stated that she does not wish to pursue any legal proceedings against the factory. Respondent no.2 is present in Court and submits that factory is of her brother in law and all the medical expenses have been borne by him. She sustained injuries as her dupatta came under the gear of machine. She has submitted that she does not wish to pursue the present FIR, in view of the settlement arrived at between her and petitioner.

Keeping in mind the above facts and circumstances, in the interest of justice, the present FIR No.1009/2015 under Sections 287/338 IPC registered at police station Jahangir Puri is quashed.

Writ petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous.

A.K. PATHAK, J.

SEPTEMBER 09, 2016/dk