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

+ **CRL.M.C. 3422/2016**

SMT SAROJ AGGARWAL

..... Petitioner

Represented by: Mr. B.N. Singh, Advocate with
petitioner in person.

versus

STATE & ANR

..... Respondents

Represented by: Mr. Ashok K. Garg, APP for
the State with SI Roshan Lal,
PS Nangloi.
Respondent Nos. 2 and 3 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

19.09.2016

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By the present petition the petitioner seeks quashing of FIR No. 119/2016 under Sections 287/304A IPC registered at PS Nangloi, Delhi on the information received with regard to the death of one Jitender Kushwaha aged 18 years while working in the shop of the petitioner and grinding pulses with the mixer when he was electrocuted and the proceedings pursuant thereto on the ground that the parties have settled the matter.

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

Learned APP for the State on instructions from the Investigating Officers points out that the petitioner is the owner of the shop where the son of respondent Nos.2 and 3 died. He further states that besides the respondent No.3 the mother of Jitender Kushwaha, there is no other legal

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heir of the deceased.

The Respondent Nos. 2 and 3 who are present in Court and are identified by the Investigating Officer state that the Petitioner and Respondent Nos.2 and 3 have entered into a Compromise and in terms of the settlement they have received a compensation of ₹5 lakhs and that they do not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioner who is present in Court and is identified by the counsel affirms the statement made by respondent Nos.2 and 3 and states that she will abide by the terms of the 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. 119/2016 under Sections 287/304A IPC registered at PS Nangloi, 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.

SEPTEMBER 19, 2016/‘vn’
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