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

+ **W.P.(CRL) 2746/2016**

**METRO LIFE STYLE PRIVATE LTD. THR. R K SINGH
AUTHORISED REPRESENTATIVE & ANR. Petitioners**

Through: Mr. Sanjay Rathee & Mr. Vijay
Sansanwal, Advocates along with
petitioners in person.

versus

THE STATE (NCT OF DELHI) & ANR. Respondents

Through: Ms. Nandita Rao, ASC along with
ASI Harkesh Kumar, PS-Vasant
Vihar, for the State.
Respondent No.2 in person.

**CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI**

**ORDER
20.09.2016**

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Crl. M.A. No. 14649/2016

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(CRL) 2746/2016

Issue notice. Ms. Rao accepts notice on behalf of the State.
Respondent No.2/ complainant/ the injured is present in Court and he
accepts notice. He is identified by ASI Harkesh Kumar, IO.

The petitioners have preferred the present petition to seek quashing of
FIR No.819/2016 under Section 288/ 337 IPC registered at Police Station –

Vasant Vihar on the complaint of the complainant/ injured. The petitioners are the contractor and the complainant was working as a labour on the construction site of the petitioners. While carrying out his duties, he slipped from the first floor and fell down on the ground floor. Fortunately, he survived without any major injury. The parties have arrived at compromise. The compromise deed dated 14.09.2016 is on record.

Learned counsel for the petitioners submits that the petitioners have borne the medical expenses of the injured and also paid compensation of Rs.25,000/- to him. Ms. Rao submits that the petitioners apparently did not provide any lifeline or even a temporary railing on the staircase due to which the accident occurred.

Looking to the circumstances, it is directed that the petitioners shall maintain greater security for the labour force working at the construction sites by foreseeing such like incidents and providing adequate security measures for the same.

Learned counsel for the petitioners has submitted that the petitioners are ready & willing to pay such other compensation as this Court may consider appropriate, to the complainant.

Looking to the circumstances, the petitioners are directed to pay further compensation of Rs.10,000/- to the complainant. The complainant states that he does not wish to pursue his complaint any further and he also joins the prayer for quashing the FIR in question.

Accordingly, no useful purpose would be served in keeping the aforesaid FIR and the proceedings emanating therefrom pending any further. Consequently, subject to payment of further amount of Rs.10,000/- to the complainant as compensation, the FIR in question and the proceedings

emanating therefrom are quashed. The payment of compensation shall be made within a week to the complainant in the presence of the I.O.

VIPIN SANGHI, J

SEPTEMBER 20, 2016

B.S. Rohella