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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 2919/2016
RAJESH KUMAR & ANR Petitioners
Through: Mr. R.P. Tomar, Advocate

versus

STATE & ANR Respondents
Through: Mr. Avi Singh, ASC with Ms. Megha
Bahl, Mr. Jaskaran & Mr. Ananya
Mohan, Advocates with SI:Puneet,
PS:Sarai Rohilla, Delhi

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

ORDER
% **25.10.2016**

On the complaint of respondent No.2, the present FIR No.430/2016 under Sections 287/338/342/34 IPC was registered at PS:Sarai Rohilla, Delhi against the petitioners.

It is submitted that respondent No.2 used to work in a gatta factory. He used to operate a dye cutting machine. The brake of the machinery was defective. He requested the owner, namely, Mr. Rajesh, to get the machine repaired, but to no effect. On 28th May, 2016, at about 9:00 pm, his hand came under the machine and palm was crushed. Learned Additional Standing Counsel submits that the palm of respondent No.2 has been amputated due to injuries sustained by him.

Respondent No.2 is present in Court and submits that he has settled

the matter with the petitioners vide Memorandum of Settlement/Compromise dated 26th September, 2016, whereby petitioners have agreed to pay ₹3,00,000/- to him towards all his claims. However, during the course of hearing, the petitioners have offered to pay another sum of ₹1,50,000/- to respondent No.2, to compensate him for the injury suffered by him.

The petitioners have paid ₹4,50,000/- to respondent No.2 in the Court today, out of which ₹3,00,000/- has been paid through a demand draft and ₹1,50,000/- in cash. Respondent No.2 submits that he is not willing to pursue the FIR any further.

In view of the facts narrated hereinabove, more particularly the petitioners and respondent No.2 have settled their disputes at the investigation stage itself, and the petitioners have compensated the respondent No.2 by paying ₹4,50,000/-, in the interest of justice, FIR No.430/2016 under Sections 287/338/342/34 IPC registered at PS:Sarai Rohilla, Delhi is quashed, in view of the settlement arrived at between them.

The petition is disposed of in the above terms. *Dasti.*

A.K. PATHAK, J

OCTOBER 25, 2016/tp