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

+ **CRL.M.C. 865/2017**

MUSTAQ

..... Petitioner

Represented by: Mr. Riaz Mohd, Advocate with
petitioner in person.

versus

THE STATE GOVT. OF NCT OF DELHI & ANR..... Respondents

Represented by: Ms. Meenakshi Chauhan, APP
for the State with SI Ranvir
Singh, PS Jamia Nagar.
Respondent No.2 Mohd. Yunus
and his son Mohd.Firoz are
present in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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03.03.2017

Crl. M.A. No. 3672/2017 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioner seeks quashing of FIR No. 650/2016 under Sections 288/304A IPC registered at PS Jamia Nagar, Delhi on the complaint of SI Mool Chand and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Respondent No.2 Mohd. Yunus and Mohd. Firoz, father and brother of the deceased Mohd. Dulal respectively, who are present in Court and are identified by the Investigating Officer, state that Mohd. Dulal, was working as a labourer with the petitioner at a construction site when due to fall he got

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injured resulting in his death. Claim was filed by the respondent No. 2 before the Deputy Labour Commissioner wherein the petitioner and respondent No.2 being the father of the deceased, on behalf of himself and on behalf of his wife Smt. Gulshan, the only legal heir of the deceased Mohd. Dulal settled the matter. In lieu of the claim of compensation and the above noted FIR the respondent No.2 was issued a cheque for a sum of ₹8,85,480/- which has been deposited in his account. Respondent No.2 states that since he and his wife have settled the matter with the petitioner, they do not wish to pursue the above noted FIR and the proceedings pursuant thereto. The Respondent No.2 Mohd. Yunus states that he has come to Delhi for the first time and his wife Gulshan is not in a position to come to Delhi. He states that he has been authorised by Smt.Gulshan to make the statement as above.

Petitioner, who is present in Court and is identified by the learned counsel affirms the statement of the respondent No.2 Mohd. Yunus and his son Mohd. Firoz.

Considering the fact that the parties have settled the matter of their own free will, volition and without any coercion, no useful purpose will be served in continuance of the above noted FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 650/2016 under Sections 288/304A IPC registered at PS Jamia Nagar, Delhi and proceedings pursuant thereto are hereby quashed.

The petitioner, respondent No.2 Mohd. Yunus and his son Mohd. Firoz have signed this order sheet in acknowledgment of their statements

made before this Court.

The petition is disposed of. Order dasti.

MARCH 03, 2017
‘vn’

MUKTA GUPTA, J,