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

+ **CRL.M.C. 4097/2017 & CRL MA 16447/2017**

SH NARESH JAIN Petitioner
Through **Ms. Amita Gupta, Adv**

versus

GOVT OF NCT OF DELHI & ANR RespondentS
Through **Mr. G M Farooqui APP for State**
SI Chandan Kumar, PS Okhla Indl.
Area
Respondent Nos. 2 & 3 in person

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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16.11.2017

Father of the deceased Sh. Ravinder Singh is present in the Court. On oral request of learned counsel for the petitioner, Ravinder Singh is impleaded as respondent no.3 in the present petition. Amended memo of parties is taken on record.

Brief facts of the case are that Saurav, son of respondent nos. 2 and 3 was employed with M/s. Naresh Labels, situated at Okhla Industrial Area, Phase I, New Delhi. Petitioner is the sole proprietor of M/s Naresh Labels. Saurav died due to electrocution while working in the factory. On receipt of information, police reached the spot but no eye-witness was available. However, the unprotected electric wire near the iron slab nearby the machine where deceased Saurav was working at the time of incident was noticed.

Investigation is still pending. However, petitioner and respondent

nos. 2 and 3 have settled the matter vide settlement/ compromise deed dated 22nd September, 2017 and in terms of the settlement deed, respondent nos. 2 and 3 have already received ₹1.5 lakhs. Petitioner has paid ₹4.5 lakhs to respondent nos. 2 & 3 in the Court today towards the balance settled amount, by way of a demand draft bearing DD No. 011751 dated 15.11.2017 drawn on HDFC Bank.

Respondent nos. 2 & 3 are present in the Court today and have been identified by SI Chandan Kumar, of Police Station Okhla Industrial Area. They admit the factum of settlement with the petitioner. Respondent nos. 2 and 3 submit that they have settled the matter of their own free will, voluntarily and without any undue force, pressure or coercion. They further submit that with receipt of ₹4.5 lakhs from the petitioner in the Court today, entire settled amount stands received and in view of the settlement, they are not willing to pursue criminal proceedings against the petitioner and the same may be quashed. It is noted that present settlement is to be treated only in respect of the present criminal proceedings.

Keeping in view the facts and circumstances, as detailed hereinabove, more particularly the fact that entire settled amount stands paid to the respondent nos.2 and 3, in the interest of justice FIR No.179/2017 under Sections 287/304A IPC registered at PS Okhla Industrial Area, which is at investigation stage, is quashed.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous. *Dasti*.

A.K. PATHAK, J

NOVEMBER 16, 2017/sm