

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.9745 OF 2011

ORDER:

This Criminal Petition, under section 482 of Cr.P.C., is filed by the Petitioner – Priyadarshini Cement Factory seeking to quash the proceedings in Crime No.116 of 2011 of Medlacheruvu Police Station, Nalgonda District, initially registered for the offence under Section 337 and later altered to Section 304-A of I.P.C.

2. Heard learned counsel for the petitioner – company and learned Public Prosecutor, appearing for the 1st respondent - State. None appears for the 2nd respondent – complainant, in spite of service of notice.

3. The complaint is filed stating that, on 21.07.2011, the husband of the complainant, while working as labourer at Priyadarshini Cement Factory and attending the leakage of powder drilling work, there was leakage of powder with high speed and abruptly it fell on her husband and he suffered severe burn injuries. Later, the husband of the complainant succumbed to the burn injuries on 23.07.2011.

4. The allegation against the petitioner – company, where the husband of the complainant worked as labourer, is that it did not take any precautionary measures for the safety of human life.

5. Learned counsel for the petitioner now submits that, subsequent to filing of the complaint, there was a compromise between the parties and, as per which, the complainant received Rs.25,000/- towards funeral expenses, under one receipt, and also received Rs.10,00,000/- towards full and final settlement of accidental death of her husband during the course of his employment with the company, under another receipt.

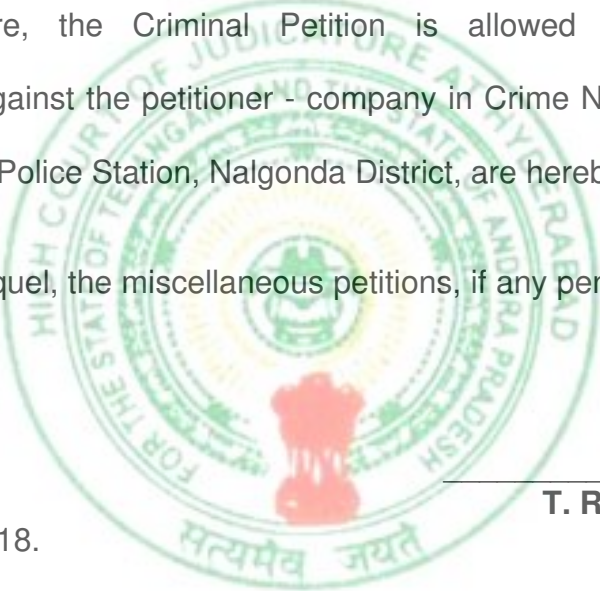
Learned counsel for the petitioner – company has filed the photostat copies of the two receipts before this Court. It was further stated in the compromise affidavit that, the complainant, after receiving the aforesaid compensation, agreed to withdraw the complaint lodged by her and not to raise any further claim, complaint and grievance against the petitioner – company or its management.

6. Hence, in view of the above, this Court opines that continuation of further proceedings against the petitioner – company would result in sheer abuse of process of law.

7. Therefore, the Criminal Petition is allowed and all further proceedings against the petitioner - company in Crime No.116 of 2011 of Medlacheruvu Police Station, Nalgonda District, are hereby quashed.

8. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

Date: 10.10.2018.
Dsh



T. RAJANI, J

SMT JUSTICE T.RAJANI**273****23102018****CRIMINAL PETITION No.9745 OF 2011**

Date. 10.10.2018

DSH