

\$~44

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

+ W.P.(CRL) 579/2018

GOPAL ANANADANI

.... Petitioner

Represented by: Mr.Mahesh Kumar Gautam,
Advocate along with petitioner
in person

versus

THE STATE & ORS

... Respondents

Represented by: Ms.Kamna Vohra, ASC for the
State with ASI Harish Chander,
PS Kirti Nagar

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

10.04.2018

%

By the present petition the petitioner seeks quashing of FIR No.377/2017 under Sections 288/337 IPC and Section 304-A IPC, which was added later, registered at PS Kirti Nagar, Delhi on an information received and the proceedings pursuant thereto on the ground that the petitioner has entered into a settlement with the legal heirs of the deceased.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that as per the investigation, deceased Kailash Paswan was working as a labourer in the shop of the petitioner where plywoods were stacked which fell on the deceased resulting in his death. Deceased Kailash Paswan is survived by Ms.Sima Devi, his wife and

W.P.(CRL) 579/2018

Page 1 of 3

respondent No.2 herein, his four children namely Jitender Kumar, Ravinder Kumar, Kiran Kumari and Gunja Kumari, impleaded herein as respondents No.3 to 6 respectively out of which Ravinder Kumar and Kiran Kumari are minor and thus represented through their mother.

Legal heirs of the deceased Kailash Paswan had appeared before this Court on 23rd February, 2018 when this Court had noted its satisfaction that the parties have settled the matter and that they had no objection if the money is given to their mother. A demand draft of ₹2.75 lakh was handed over to respondent No.2 on the last date and remaining amount of ₹2.25 lakh has been handed over to Smt.Sima Devi today in Court by way of a demand draft bearing No.422739 dated 7.4.2018 drawn on Canara Bank, Paharganj, New Delhi. Smt.Sima Devi, identified by the Investigating Officer, on her behalf and on behalf of her children states that she has entered into a settlement with the petitioner and does not wish to pursue the FIR and the proceedings pursuant thereto.

Petitioner who is present in Court and is identified by the learned counsel affirm the statement of respondent No.2.

In view of the fact that the parties have arrived at a settlement amicably of their own free will, volition and without any coercion and no useful purpose will be served in continuance of the proceedings, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 377/2017 under Sections 288/ 337/ 304-A registered at PS Kirti Nagar, Delhi and proceedings pursuant thereto are
W.P.(CRL) 579/2018

hereby quashed.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

APRIL 10, 2018
‘rk’