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

+ **W.P.(CRL) 766/2018**

**RAM NIWAS**

..... Petitioner

Represented by: Mr. Aditya Aggarwal,  
Advocate.  
Petitioner in person.

versus

**THE STATE GOVT OF NCT OF DELHI & ANR ..... Respondent**

Represented by: Ms. Meenakshi Chauhan, APP  
with SI Rajbir Singh, PS  
Mundka.  
Ms. Samia Malik, Advocate for  
R-2. Respondent No. 2 in  
person.

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

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**15.03.2018**

**Crl.M.A. No. 4795/2018 (Exemption)**

Allowed, subject to all just exceptions.

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By the present petition the petitioner seeks quashing of FIR No. 184/2017 under Section 304A IPC registered at PS Mundka, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned APP for the State on instructions from the Investigating Officer submits that the above noted FIR was registered against the

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petitioner who is the landlord of premises House No. 52/7/3, Murga Market, Lekhram Park, Tikri Kalan, Outer District, Delhi on the complaint of the respondent No. 2 who is the tenant of the petitioner. Respondent No. 2 in the FIR alleged that Ravi, his minor son who was playing near the water submersible, touched the tap and got electric current due to which he died. Learned APP further states that in the above noted FIR the petitioner is the only accused and the respondent No.2 is the only complainant/ victim.

Respondent No. 2 who is present in Court and is identified by the Investigating Officer states that he has settled the matter with the petitioner. Petitioner had paid a sum of ₹20,000/- at the time of death of his son and further amount of ₹20,000/- when he went to home town in August, 2017. He has further received a sum of ₹40,000/- by way of cheque No. 479836 from the petitioner which cheque has since been encashed. He further states that he had been residing as a tenant with the petitioner in the same premises and since November, 2017 he has shifted back to his native place Hardoi and would like to stay there. He states that he will vacate the premises by the end of April, 2018 and he has not paid the rent from July, 2017 to the petitioner which rent has been waived off by the petitioner. He further states that since he has settled the matter with the petitioner and as there was lack of supervision even on their part he does not wish to pursue the above noted FIR and the proceedings pursuant thereto.

Petitioner who is present in Court and is identified by the learned counsel affirms the statement of respondent No.2. He states that besides ₹80,000/- paid to the respondent No. 2 he will not charge any rent from respondent No. 2 from July, 2017 to April, 2018.

In view of the fact that the parties have amicably resolved their differences of their own free will, volition and without any coercion and no useful purpose will be served in continuance of the proceedings, rather the same would create further acrimony between them, 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. 184/2017 under Section 304A IPC registered at PS Mundka, Delhi and proceedings pursuant thereto are 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.**

**MARCH 15, 2018**  
**‘yo’**