

\$~36

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

+ **W.P.(CRL) 1110/2018**

SUKHWAT SINGH BAWA

..... Petitioner

Represented by: Ms. Francesca Kapur and Mr.
Yogesh, Advocates.

versus

STATE & ANR

..... Respondent

Represented by: Mr. Sanjay Lao, ASC with Ms.
Hemlata Rawat, Advocate with
SI Bachhu Singh, PS Keshav
Puram.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
10.08.2018

%

By the present petition the petitioner seeks quashing of FIR No. 144/2017 under Sections 287/337 IPC and under Sections 23/26 of Juvenile Justice Act, 1986 registered at PS Keshav Puram, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions submits that the above noted FIR was registered when the respondent No. 2 suffered an injury while working in the factory of the petitioner due to which the middle finger of the left hand got crushed resulting in amputation. Since the injury was grievous in nature, Section 338 IPC was added. He further states that charge sheet is ready and is being filed for offence punishable

W.P.(CRL) 1110/2018

page 1 of 3

under Sections 287/337 IPC and not under Section 23/26 of Juvenile Justice Act, 1986 as the respondent No. 2 was major at the time of alleged incident. He 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 and Investigating Officer states that he has already received a sum of ₹1,75,000/- from the petitioner which was deposited in the account of his father and a further sum of ₹50,000/- has been deposited in the account of respondent No. 2. He further states that he has also received a letter of employment by virtue of which he can continue to work with the petitioner. He states that he has settled the matter with the petitioner and does not want to pursue the abovementioned 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 and undertakes to abide by the terms of settlement.

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, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto qua offences punishable under Sections 287/338 IPC.

Consequently, FIR No. 144/2017 under Sections 287/338 IPC registered at PS Keshav Puram, 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.

AUGUST 10, 2018

‘yo’