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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 2181/2017 & CrI.M.A.No.12283/2017(stay)
RADHEY SHYAM YADAV ... Petitioner

Represented by: Mr.Naresh, Advocate

versus

STATE & ORS ... Respondents
Represented by: Ms.Kamna Vohra, ASC for the State
with Insp. Varun Dalal, PS Gulabi
Bagh

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
13.11.2018

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By this petition the petitioner seeks quashing of FIR No.127/2016 under Sections 287/337/304-A IPC registered at PS Gulabi Bagh on the complaint of respondent No.4 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that the above-noted FIR was registered when Sonu, son of respondents No.2 and 3 got injured while working on a welding machine with the petitioner due to electrocution. She states that after the death of Sonu, Section 304-A IPC was invoked. Respondents No.2 and 3 are the only legal heirs of Sonu as he was not married by that time. Respondent No.4 is the doctor to whom Sonu was taken for treatment and

who lodged the FIR. Despite notice, respondent No.4 has not appeared and as noted above, has no personal interest in the matter and acted in his official capacity. Respondents No.2 and 3 are present in Court and are identified by the Investigating Officer. They state that after their son Sonu got injured, petitioner made extensive efforts and had spent substantially on medical expenses on humanitarian grounds. However, Sonu could not survive. In view of the fact that there was no part played by the petitioner and he helped financially in the treatment of Sonu, they do 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 respondents No.2 and 3.

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. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No.127/2016 under Sections 287/337/304-A IPC registered at PS Gulabi Bagh and proceedings pursuant thereto are hereby quashed.

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

Petition and the application are disposed of. Order dasti.

NOVEMBER 13, 2018

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W.P.(CRL) 2181/2017

MUKTA GUPTA, J.

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