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

+ **W.P.(CRL) 2278/2017**

RAVI GIRDHAR

..... Petitioner

Represented by: Mr. Rakesh Patiyal, Advocate.

versus

STATE & ORS

..... Respondent

Represented by: Ms. Kamna Vohra, ASC for the
State with SI Bhupesh Kumar,
PS Burari, Delhi.
Mr. Surender Nagpal, Advocate
for R-2,3,4 and 5.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

27.04.2018

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By the present petition the petitioner seeks quashing of FIR No. 190/2017 under Sections 288/304A IPC registered at PS Burari, Delhi on the complaint of SI Bhupesh Kumar, PS Burari.

Learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR was registered after Subhash Sharma was admitted at Fortis Hospital. On investigation it was revealed that Subhash Sharma was electrocuted at the first floor of under construction building plot No. 59, Khasra No. 506, Shakti Enclave, Burari due to which he died. The petitioner was the ***W.P.(CRL) 2278/2017***

page 1 of 3 contractor and had

engaged Subhash Sharma for electricity work.

Learned ASC for the State further submits that deceased Subhash Sharma is survived by four legal heirs who have now been implead as parties i.e. Respondent No. 2 his wife, Reena Sharma, respondent Nos. 3 and 4, Piyush Sharma and Rajat Sharma his two sons and Smt. Sandhya Devi as respondent No. 5, the mother of Subhash Sharma.

Respondent Nos. 2, 3 and 4 are present in Court and are identified by the learned counsel and Investigating Officer. Respondent No. 5 is not present in Court and has executed General Power of Attorney in favour of respondent No. 2, Reena Sharma which is on record. Respondent No. 2 on her behalf and on behalf of respondent No. 5 and respondent Nos. 3 and 4 state that the petitioner has adequately compensated for his negligence and has paid to them a sum of ₹ 11,45,000/-, thus they do not want to pursue the abovementioned FIR and the proceedings pursuant thereto. The settlement in this regard was entered into the parties on 20th May, 2017, copy whereof is at page 36 to 39 of the paper book.

Petitioner who is present in Court and is identified by the learned counsel affirms the statement of respondent No.2, 3 and 4 and undertakes to abide by the terms of settlement arrived at between the parties.

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. 190/2017 under Sections 288/304A IPC registered at PS Burari, 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.

APRIL 27, 2018
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