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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3278/2017**

RACHIT SINGHAL & ORS.

..... Petitioners

Through: Mr. Mukul Talwar, Sr. Adv. with Mr.
Sunil Kumar and Mr. Ankit Dixit,
Advts.

versus

STATE, NCT OF DELHI & ORS

..... Respondents

Through: Dr. M.P. Singh, APP for State.
Mr. Vipin Singh, Adv. for R-2 to R-5
along with R-2 to R-4 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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08.05.2018

It is submitted that petitioners and respondent nos. 2 to 5 have settled their disputes amicably vide Deed of Compromise dated 13th July, 2017, therefore, FIR No.171/2017 under Sections 288/304A IPC registered at police station Anand Vihar and the consequent proceedings emanating therefrom may be quashed.

Petitioners were running a sweet shop. During the renovation of shop Late Sh. Ashok Ram was engaged by the petitioners as a labourer. Deceased-Ashok Ram along with three persons, namely, Kallu, Rajkumar and Ram Babu was shifting exhaust machine from ground floor to first floor.

While shifting the machine, they kept the exhaust machine in the staircase for some time. When they lifted the machine again all of them received electric shock. Unfortunately, Ashok Ram died due to electric shock while other aforementioned persons dropped the machine on the ground.

Respondent no. 4-Sunita Devi is widow of Late Sh. Ashok Ram; whereas respondent no. 5 is minor daughter and is being represented by her mother, that is, respondent no.4. Respondent nos. 2 and 3 are parents of Late Sh. Ashok Ram. As per the Deed of Compromise, ₹1 lac is to be kept in FDR in the name of respondent no. 5; whereas ₹1.25 lac is to be paid to respondent no. 4 and ₹1,12,500/- each was to be paid to the respondent nos. 2 and 3.

Today, petitioners have paid ₹1.25 lac to respondent no. 4-Sunita Devi and ₹1,12,500/- each to respondent nos. 2 and 3 vide three separate demand drafts, photocopies whereof have been placed on record. Another demand draft of ₹1 lac, in the name of respondent no.5-Asha, has been given to the respondent no.4, which shall be kept by her in the FDR to be drawn in the name of respondent no.5 till she attains the age of majority. During the course of hearing, petitioners have agreed to pay another sum of ₹3 lacs to the respondent no.4, over and above the amount mentioned in the

compromise deed. Accordingly, the respondent no. 4 has been paid ₹ 4.25 lacs. Respondent nos. 2 to 4 submit that they have no objection in case FIR and the consequent proceedings are quashed.

Keeping in view the facts and circumstances of this case and the settlement arrived at between the petitioners and respondent nos. 2 to 5 voluntarily, I am of the view that no fruitful purpose would be served in keeping the criminal proceedings pending. Accordingly, aforesaid FIR and the consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

MAY 08, 2018

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