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

+ W.P.(CRL) 2415/2017

MANGAT RAM GUPTA

..... Petitioner

Represented by: Mr. Bhawani Shankar, Mr.
Yogesh Chauhan, Advs.

versus

STATE & ANR

..... Respondent

Represented by: Mr. Sanjay Lao, ASC with SI
Bhupesh Kumar, PS Burari.
R-2 and 3 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

11.04.2018

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By the present petition the petitioner seeks quashing of FIR No. 151/2017 under Section 304A IPC registered at PS Burari, Delhi on the complaint of the Sub Inspector informing about an accident which took place when the petitioner as a contractor of PWD was working on the road and had not put any signs resulting in an accident by a motorcycle driven by Manjit Tomar S/o respondent No.2 and 3.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the petitioner is the only accused and respondent No.2 the mother of Manjit Tomar, the deceased and the only legal heir.

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Respondent No. 2 and 3, parents of Manjit Tomar are present in Court and are identified by the Investigating Officer. They state that they have settled the matter with the Petitioners who has paid them a compensation of ₹6 lakhs today in Court by way of demand draft No. '370454' drawn on The Karnataka Bank Ltd. and they do not wish to pursue the above-noted FIR and the proceedings pursuant thereto. Respondent No.2 and 3 who are aged around 70 years state that Manjit Tomar was their only son and now they have no one to look after them. Thus this amount of compensation is the only source of income for them. They further state that they are not in a position to pursue the case and seek quashing of the above-noted FIR and the proceedings pursuant thereto.

Petitioner who is present in Court and is identified by the learned counsel affirms the statements of respondent No.2 and 3.

Since respondent No.2 and 3 are adamant 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. Respondent No.2 and 3 have also been informed that they have a remedy of seeking compensation from the Delhi Legal Services Authority under the Victims Compensation Scheme.

Consequently, FIR No. 151/2017 under Section 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 11, 2018
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