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

+ CRL.M.C. 3751/2017

SH MANOJ KUMAR & ANR Petitioners
Through Mr. Sudhir K. Saneja, Adv.

versus

THE STATE GOVT OF NCT OF DELHI & ANR..... Respondents
Through Ms. Manjeet Arya, APP with SI
Virender Kumar, P.S. Keshav Puram
Mr. Man Mohan Gupta, Adv. with
respondent no. 2

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **07.05.2018**

Respondent no. 2 Leela is mother of deceased Guddu, son of Late Shri Suresh. Deceased was aged about 22 years. He was unmarried. Respondent no. 2 is the only legal representative of the deceased Guddu. Deceased was working in the factory of petitioners as a helper. Deceased touched the machine and got electrocuted and died. Learned counsel for the petitioners submits that deceased was not authorized to work on the machine. He entered in the factory and touched the machine of his own. It is further submitted that petitioners and respondent no. 2 have settled their disputes amicably vide a Settlement Deed dated 25th March, 2017; therefore,

FIR No. 172/2017 under Sections 304-A/34 IPC registered at Police Station Keshav Puram may be quashed. Respondent no. 2 is present in Court along with her counsel and has been identified by SI Virender Kumar of police station Keshav Puram. Respondent no. 2 admits having settled the matter with petitioners of her own free will, voluntarily and without any undue force, pressure or coercion. In terms of the Settlement Deed, petitioners and respondent no. 2 had settled the matter for ₹2,50,000/-. However, during the course of hearing of this petition, petitioners have offered sum of ₹5,00,000/- to the respondent no. 2. Respondent no. 2 says that she has already received ₹20,000/-. Petitioners have paid ₹4,80,000/- to the respondent no. 2 vide a demand draft. Photocopy whereof has been placed on record. Respondent no. 2 submits that she has no objection in case FIR is quashed against the petitioners.

Keeping in mind the settlement arrived at between the petitioners and respondent no. 2 and the facts of this case, in my view, no fruitful purpose would be served to keep the criminal proceedings pending. Accordingly, in the interest of justice, FIR No. 172/2017 under Sections 304-A/34 IPC registered at Police Station Keshav Puram, which is at the investigation stage, is quashed.

Petition is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

MAY 07, 2018

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