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

+ CRL.M.C. 5814/2018

COMPETENT VIDYUT TOWER PVT LTD & ANR... Petitioners
Through Adv. (appearance not given)

versus

NCT OF DELHI& ANR. Respondents
Through Mr.Izhar Ahmad, APP for State.
SI Kamlesh Kumar PS Sarita Vihar.
Respondent no.2 in person.

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **19.11.2018**

Crl. M.A. 47582/2018 (exemption)

Allowed, subject to all just exceptions.

Application is disposed of.

Crl.M.C.5814/2018

Notice. Learned APP for State accepts notice for respondent no.1

Respondent no.2 Smt. Sheela Pal is present in Court and accepts notice. She has been identified by SI Kamlesh Kumar of police station Sarita Vihar.

Respondent no.2 submits that Late Mr.Naresh Pal was her husband. No child was born from their wedlock. Parents of deceased are no more.

She is the only legal heir of the Late Mr.Naresh Pal.

Late Mr. Naresh Pal was working as lineman with the petitioner. Petitioner is one of the contractor of BSES Limited. While on duty Late Mr.Naresh Pal sustained electric shock and was hospitalized, which incident led to the registration of FIR No.120/2018 under sections 285/338 IPC at police station Sarita Vihar. After two days, late Mr.Naresh Pal died in the hospital, accordingly, section 304A IPC was added. Investigations are still going on.

Learned counsel for the petitioner submits that no witness has come forward to make a statement that the deceased died due to the negligence of petitioner. Still petitioner has settled the matter with the respondent no.2. Petitioner has processed the pension papers of the deceased. Petitioner has paid a sum of ₹8 lacs to respondent no.2 in Court, vide a demand draft, photocopy whereof has been placed on record.

Respondent no. 2 says that she has settled the matter with petitioner of her own free will and without any undue force, pressure or coercion inasmuch as has received the entire settled amount of ₹ 8 lacs, therefore, she has no objection in case FIR No.120/2018 and the consequent proceedings emanating therefrom are quashed.

Keeping in mind the settlement arrived at between the petitioner and respondent no. 2 voluntarily, in my view, no fruitful purpose would be served to keep the criminal proceedings pending. Accordingly, in the interest of justice, aforesaid FIR is quashed.

Petition is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

NOVEMBER 19, 2018

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