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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ W.P.(CRL) 295/2019
SH. ANAND SINGH

..... Petitioner

Through: Mr. Pawan Sharma, Adv.

versus

STATE & ANR.

..... Respondent

Through: Mr. Jamal Akhtar, Adv. for Mr. Rahul Mehra, Standing Counsel with ASI Jagpal Singh, P.S. Sonia Vihar.
Mr. Aryender Singh, Adv. for complainant.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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30.01.2019

CrI. M.A. 2064/2019 (Exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed off.

W.P.(CRL.) 295/2019

1. This petition seeks quashing of FIR No. 108/2018, P.S. Sonia Vihar, under sections 288/337/304A IPC. The quashing is being sought on the basis of a purported settlement for a total sum of Rs.3,25,000/-. A worker, employed by the petitioner, had died during his employment due to a wall collapsing upon him. It is stated that out of the settled amount of Rs.3.25 lacs, a sum of Rs.75,000/- has already been paid to the legal heirs/parents of the deceased and the remaining amount of Rs.2.50 lacs is now being sought to be paid by way of a Demand Draft. The same has been paid in the Court

today vide Demand Draft being no. 244153 dated 18.01.2019, drawn on SBI, Karawal Nagar branch, Delhi. The parties are present in the Court today and have been identified by the IO. However, looking at the fact that the deceased was under the employment of the petitioner and that his legal heirs would otherwise need to be compensated under the relevant statutes, the present FIR cannot be quashed only on the basis of the amount so tendered to the parents/legal heirs.

In view of the above, the petition is not pressed by the petitioner.

The amount will be appropriated by the parents/legal heirs, without prejudice to their rights and contentions.

The learned counsel for the petitioner states that he will examine all statutory liability apropos payment of dues, to the parents of the deceased.

The petition is disposed off in the above terms.

NAJMI WAZIRI, J

JANUARY 30, 2019/acm