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

+ CRL.M.C. 2789/2018 and Crl. M.A. no. 33021/2018

SURAJ BALI YADAV Petitioner
Through Mr. Sharique Hussain, Adv. with
petitioners in person

Versus

THE STATE (NCT OF DELHI) & ORS. Respondents
Through Mr. Raghuvinder Verma, APP with
ASI Devender Kumar, P.S. Uttam
Nagar
Respondent no. 2 in person

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

ORDER
% **28.01.2019**

Respondent nos. 3 and 4 are parents of deceased; whereas respondent no. 2 is brother of deceased. Deceased died due to electrocution. This incident led to registration of FIR no. 230/2009 under Section 304-A IPC at police station Uttam Nagar. Deceased was a ragpicker. Petitioner was the employee of BSES Ltd. at the relevant time, that is, in the year 2009. He has now retired. Petitioner was working as Junior Engineer with respondent no. 2. Deceased touched the earth wire, which was attached to the pole. It

is submitted that matter has been settled between the petitioner and private respondents before the Delhi High Court Mediation and Conciliation Centre on 5th September, 2018. Respondent nos. 2 to 4 are present in Court along with their counsel and admits having settled the matter with petitioner. They have been identified by ASI Devender Kumar of police station Uttam Nagar. It is noted that during the hearing on 28th September, 2018 petitioner had agreed to pay another sum of ₹1,00,000/- to respondent no. 4. Respondent no. 4 says that she has received the entire settled amount of ₹3,50,000/- with this payment. Respondent no. 3 submits that he is not interested in the compensation and his share may be given to respondent no. 4. Respondent nos. 2 to 4 say that they have no objection in case aforesaid FIR and consequent proceedings emanating therefrom are quashed.

Keeping in mind the facts and circumstances of this case, as detailed above and the fact that petitioner and respondent nos. 2 to 4 have settled the matter before the Mediation Centre and that petitioner has already retired from service, in my view, no fruitful purpose would be served to keep the criminal proceedings pending. Accordingly, in the interest of justice, aforesaid FIR and consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous.

Dasti.

A.K. PATHAK, J.

JANUARY 28, 2019

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