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

Date of decision: 10.02.2020

+ CRL.M.C. 132/2020

VIDESH KUMAR

..... Petitioner

Through

Mr. Praveen Kumar and Mr. Vinay
Kumar, Advs.

Versus

THE STATE (GOVT. OF NCT OF DELHI)
& ORS

..... Respondent

Through

Mr. Panna Lal Sharma, APP for State
Respondent nos. 2 to 4 in person
SI Ranveer Mavi, PS Vivek Vihar.
SI Sanjeev Kumar, PS Gandhi Nagar,
Delhi
Adv. (appearance not given) for R-
2to4

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (O R A L)

CRL. M.A. 566/2020

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

CRL.M.C. 132/2020

3. Vide the present petition, the petitioner seeks direction for quashing of FIR No. 11/2016 dated 07.01.2016, registered at Police Station – Vivek

Vihar and all other proceedings emanating therefrom.

4. Notice issued.

5. Notice is accepted by learned APP for the State and counsel for the respondent nos. 2 - 4.

6. With the consent of the counsel for the parties, the present petition is taken up for final disposal.

7. The present petition is filed on the ground that the parties have settled their disputes and the respondent nos.2 to 4 have no objection if the present petition is allowed.

8. Respondent nos. 2 to 4 are personally present and they have been identified by SI Ranveer Mavi/IO and submit that matter has been settled and they do not wish to prosecute the matter any further.

9. Learned APP has opposed the present petition and submits that in the incident three young lives aged about 18, 20 and 24 have been lost and the settlement amount of Rs. 4 lacs is on a very lower side. Moreover, the FIR in the present case was registered in the year 2016 due to which the government machinery came in motion and a lot of precious public time has been consumed. However, if this Court is inclined to quash the FIR, compensation amount may be enhanced.

10. At this stage, counsel for the petitioner has come forward on instructions from the petitioner who is present in Court and is ready to pay amount ₹3 lacs each more to the families of the deceased.

11. Accordingly, petitioner is directed to pay ₹3 lacs, each to the legal heirs of the deceased by way of demand draft within four weeks. Receipt of the same shall be furnished to the IO of the case.

12. It is made clear that an amount of ₹3 lacs shall be paid to respondent no.2, mother of the deceased - Jitender Kumar @ Jitu. ₹3 lacs shall be paid to the wife of respondent no.3, namely, Pushpa, mother of deceased-Deepak and ₹3 lacs shall be paid to the wife of respondent no.4, namely, Leelawati, mother of deceased-Neeraj.

13. The petitioner and respondent nos.2 to 4 have entered into an amicable settlement vide settlement deed dated 25.01.2016.

14. Taking into account the aforesaid facts, this Court is inclined to quash the FIR as no useful purpose would be served in prosecuting the petitioner any further.

15. For the reasons afore-recorded, FIR No. 11/2016 dated 07.01.2016, registered at Police Station – Vivek Vihar and consequent proceedings emanating therefrom are quashed.

16. The petition is allowed and disposed of accordingly.
17. Order *dasti* under signatures of the Court Master.

(SURESH KUMAR KAIT)
JUDGE

FEBRUARY 10, 2020
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