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

+ **CRL.M.C. 1199/2020**

TATA POWER DELHI DISTRIBUTION LTD. & ANR.....

Petitioners

Through: Mr. Abhay Kumar, Advocate with Mr.
Kumar Milind, Advocate with Authorised
Representative in person.

Versus

STATE & ANR.

.... Respondents

Through: Ms. Manjeet Arya, APP for State with SI
Mohd. Kafeel, P.S. Mukherjee Nagar.
Respondent No. 2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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06.03.2020

1. By way of the present petition, the petitioners seeking quashing of FIR No. 121/2019 under Sections 285/337 IPC registered at P.S. Mukherjee Nagar, New Delhi arising out of the incident dated 10.03.2019.
2. As per the case of the prosecution, an information was received that an 11 KV U/G cable that was lying above the ground was punctured with a flash mark due to which the son of respondent No. 2 who is 7 years old, sustained burn injuries.
3. On the last date of hearing, learned counsel for the petitioner sought time to take instructions with respect to taking care of the school educational expenses of the child victim i.e., *Master Uday Raj S/o Mr. Chandresh*.

4. Learned APP for the State has handed over an *estimate* given by the Principal, *Sarvodaya Vidyalaya*, Dr. Mukherjee Nagar, Delhi.
5. Learned counsel for the petitioners submits that the parties have entered into the settlement on 26.03.2019. A copy of the same is annexed with the petition as (*Annexure P-5*). In terms of the settlement, respondent no.2 is now left with no claim whatsoever against the petitioners.
6. The Authorised Representative of the petitioner company is present in person, is identified by his counsel and the Investigating Officer. Respondent no.2 who is present in person, is identified by the Investigating Officer.
7. Learned counsel for the petitioner, on instructions from the Authorised Representative of the petitioner company submits that he has no objection to fund the entire school education of the child victim.
8. An affidavit in the form of an undertaking of the A.R. of the petitioner shall be placed on record within four weeks from passing of the order.
9. Respondent no. 2 states that he has entered into the settlement with the petitioners out of his own free will, volition and without any undue force, pressure or coercion. He further stated that petitioners have shown remorse for their acts and undertaken not to repeat the same in future. He states that he has no objection if the present FIR and consequent proceedings are quashed.
10. Learned counsels for the parties submit that no other proceedings are pending between the parties.
11. The parties shall remain bound by their statements made in Court today.

12. In view of the settlement arrived at between the parties, in my view, no useful purpose will be served in continuance of the present criminal proceedings. Accordingly, in the interest of justice, the aforesaid FIR and the consequent proceedings emanating therefrom are hereby quashed, subject to the filing of the aforementioned undertaking and payment of Rs.25,000/-, to be kept in the form of FDR in the name of *Master Uday Raj* under the guardianship of his father, to the Investigating Officer within a period of two weeks.

13. With the above directions, the petition is disposed of.

14. Order *dasti* to the learned counsels for the parties.

MANOJ KUMAR OHRI, J

MARCH 06, 2020/p'ma