

\$~65

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

+ **W.P.(CRL) 2227/2019**

BABU KHAN & ANR.

..... Petitioners

Through Mr Tarun Arora, Advocate.

versus

STATE & ORS.

..... Respondents

Through Mrs Kusum Dhalla, APP for State.
SI Kamal Sharma, P.S. Patel Nagar.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

18.02.2020

1. The petitioners have filed the present petition, *inter alia*, praying that the FIR No. 72/2019 under Sections 288/304-A of the IPC, registered with Police Station Patel Nagar, New Delhi and all proceedings emanating therefrom, be quashed.
2. This Court has examined the aforesaid prayer and by an order dated 05.09.2019, concluded that the ends of justice would be served in ensuring that the petitioners pay the compensation as agreed and the FIR in question be quashed. However, the Court found that the quantum of compensation was on the lower side and therefore, had recorded the petitioners' statement that a further amount of ₹1,00,000/- be paid. The petitioners had already paid a sum of ₹8 lakhs to the legal heirs of the deceased and were required to pay a further sum of ₹1,00,000/- lakh.

3. Out of the amounts paid earlier, a sum of ₹1.25 lakhs was required to be deposited in the bank account of the minor son of the deceased (Jonny). In all, a sum of ₹2.25 lakhs was required to be deposited in his account. It is now confirmed that a sum of ₹1.25 lakhs has been deposited by respondent nos. 2 to 4 in his bank account from the compensation paid by the petitioners.

4. The learned counsel appearing for the petitioner has handed over a demand draft No. 021142 for a sum of ₹1,00,000/- lakh in favour of the minor son of the deceased (Jonny), drawn on Andhra Bank to the IO. The IO is directed to deposit the said demand draft in the bank account of Jonny.

5. In view of the above, the petition is allowed. The FIR No. 72/2019 under Sections 288/304A of the IPC, registered with P.S. Patel Nagar, New Delhi and all proceedings emanating therefrom, are quashed.

VIBHU BAKHRU, J

FEBRUARY 18, 2020

pkv