

\$~15

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

Date of decision: 22.04.2021

+ CRL.M.C. 1287/2021 & Crl.M.A. 6497/2021

PANKAJ NAYAK Petitioner

Through: Rishab Raj Jain & Mr. Vibhor
Sharma, Advocates

Versus

THE STATE & ANR. Respondents

Through: Mr. G.M. Farooqui,
Additional Public Prosecutor
for respondent No.1/State
with SI Johny Kumar

Mr. Jai Prakash, respondent
No. 2 in person

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

JUDGMENT (ORAL)

The hearing has been conducted through video conferencing.

1. Vide present petition, petitioner is seeking quashing of FIR No. 112/2017, under Section 336 IPC, registered at police station Jafarpur Kalan, Delhi and all other proceedings arising therefrom.
2. Notice issued.
3. Mr. G.M. Farooqui, learned Additional Public Prosecutor for

respondent No.1/State accepts notice and submits that respondent No.2 is present through video conferencing and he has been identified as the complainant of FIR in question by the Investigating Officer of this case, who is also present through video conferencing.

4. With the consent of the parties, the present petition is taken up for final hearing.

5. The factual matrix of the case in brief are that on 27.06.2019, respondent No.2 who was working as Cleaner in Municipal Corporation of Delhi, Najafgarh Zone, Delhi, was cleaning grass on the road near Malakpur Mor and he happened to touch the pole and received electric current and sustained injuries. He was rushed to Rao Tula Ram Memorial Hospital, Jaffarpur, Delhi and was discharged on 29.06.2019. At the instance of respondent No.2, the FIR in question was registered against the petitioner, who was then working as SDO, Ujwa Sub Division and area incharge of BSES Rajdhani Power Limited.

6. Learned counsel for petitioner submits that the injury sustained by respondent No.2 was minor in nature. Further submitted that the subject matter of this FIR stands amicably

resolved between petitioner and respondent No.2 and a sum of Rs.12,000/- has been given to respondent No.2 by the petitioner towards medical expenses.

7. Respondent No.2 present through video conferencing has affirmed the factum of amicable settlement with petitioner. He has affirmed the contents of his affidavit dated 05.04.2021 placed on record in support of this petition and submits that the proceedings arising out of FIR in question be brought to an end.

8. Keeping in view that the dispute between the parties has been amicably resolved, this Court is inclined to quash the FIR in question, as no useful purpose would be served in continuing with the proceedings arising out of the present FIR.

9. For the reasons afore noted, FIR No. 112/2017, under Section 336 IPC, registered at police station Jafarpur Kalan, Delhi and consequent proceedings emanating therefrom are hereby quashed.

10. The petition is accordingly allowed and disposed of. Pending application also stands disposed of.

(SURESH KUMAR KAIT)
JUDGE

APRIL 22, 2021

r