



\$~22

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

+ **CRL.M.C. 18/2021**

KARAN MEHTA

.....Petitioner

Through: Ms. Heena Sherawat, Adv. along with
petitioner.

versus

THE GOVT. OF NCT AND OTHERSRespondents

Through: Mr. Utkarsh, APP for State with SI
Meenu Bhan, PS Karol Bagh.
Mr. Shubham Nagpal and Mr. Nikhil
Kumar, Advs. for R-2 & 3 along with
R-3.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

%

17.12.2024

1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0221/2019 under Sections 287/304A IPC registered at P.S. Karol Bagh, Delhi and all consequential proceedings emanating therefrom, on the ground that parties have arrived at a settlement.
2. Notice in the petition was issued by this Court *vide* order dated 05.01.2021.
3. The petitioner, as well as, the respondent no.3, who is the mother of the deceased Arsalan are present in Court. The respondent no.2, who was the father of the deceased is stated to have passed away on 22.05.2023.
4. The parties have been identified by their respective counsel and by the Investigating Officer, i.e., S.I. Meenu Bhan, PS Karol Bagh, Delhi.



5. The case of the prosecution is that the deceased Arsalan along with his brother had gone to the premises of the petitioner for installing air conditioner where he got electrocuted. This led to the registration of the aforesaid FIR.
6. During the pendency of the proceedings, the parties arrived at a settlement, terms whereof were reduced in writing in the form of a Settlement Deed dated 19.02.2020, a copy of which has been placed on record.
7. It has been recorded in the aforesaid Settlement Deed that the respondents have entered into settlement with the present petitioner. As per the terms of the settlement, it was agreed that the petitioner will pay full and final settlement amount of Rs.4,60,000/- to the respondent nos.2 and 3.
8. The learned counsel for the petitioner submits that the said amount of Rs.4,60,000/- has already been paid to the respondent nos.2 and 3. The respondent no.3, who is present in Court along with her son Mohammad Shariq, affirms the factum of settlement and acknowledges having received the full and final settlement amount of Rs.4,60,000/-.
9. It is also a term of the settlement that the parties shall cooperate with each other in quashing of the aforesaid FIR.
10. The respondent no.3, on a query put by the Court, states that she has no objection in case the FIR is quashed.
11. At this stage, apt would it be to refer to the observations of the Supreme Court in ***Gian Singh v. State of Punjab, (2012) 10 SCC 303: (SCC p. 340, para 58)***

“58. Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case



demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor.”

12. In view of the settlement between the parties, the ultimate chances of conviction in the case are bleak, therefore, continuation of criminal proceedings will not serve any useful purpose and it will be an exercise in futility.
13. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.
14. Consequently, the petition is allowed and the FIR No.0221/2019 under Sections 287/304A IPC registered at P.S. Karol Bagh, Delhi along with all other consequential proceedings emanating therefrom, is quashed.
15. The petition stands disposed of in the above terms.
16. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

DECEMBER 17, 2024

aj