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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 740/2022**

MOHD. FAHEEM @ FAHEEM Petitioner
Through: Mr.Amit Sharma, Mr.Rajkumar
Gupta, Advs.

versus

THE STATE (NCT OF DELHI) & ORS. Respondents
Through: Ms.Priyanka Dalal, APP for the
State alongwith SI Bijender
Singh.
R-2,3,4,5,6 in persons.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

11.01.2024

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1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR no.227/2014 registered with Police Station: I.P. Estate, New Delhi under Sections 288/337 of the Indian Penal Code, 1860 (in short, 'IPC'). Subsequently, a Chargesheet has been filed under Sections 288/304A of the IPC.
2. The allegations in the FIR and Chargesheet relate to the unfortunate death of Sh.Naved by a fall at the work site.
3. It is submitted by the learned counsels for the parties that the parties have resolved their *inter se* disputes amicably and have entered into a compromise/settlement deed dated 29.11.2021.
4. The parties, that is, the petitioner/accused and the respondent nos.2 to 6, who are the legal heirs of the deceased, are present in Court



and have been duly identified by the IO. They submit that they have entered into the above settlement and re-affirm the terms and conditions thereof.

5. In terms of the said settlement, the learned counsel for the petitioner has handed over a demand draft bearing no.471484 dated 06.01.2024 of the Bank of Maharashtra of Rs.5,50,000/- to the respondent no.2. A copy of the demand draft has been placed on record.

6. Considering the above settlement between the parties and the chances of conviction of the petitioner being remote and bleak, in view of the principles enunciated by the Supreme Court in *Gian Singh v. State of Punjab*, (2012) 10 SCC 303, *Parbatbhai Aahir @ Parbatbhai Bimsinh Karmur & Ors. v. State of Gujarat & Ors.*, (2017) 9 SCC 641 and *State of Haryana & Ors. v. Bhajan Lal & Ors.* 1992 Supp (1) SCC 335, I find that no useful purpose would be served in continuing with the criminal proceedings as it would be an unnecessary burden on the State exchequer.

7. Accordingly, the FIR no.227/2014 registered with Police Station: I.P. Estate under Sections 288/337 of the IPC and all the proceedings emanating therefrom are quashed.

8. The parties shall abide by the terms of the settlement.

9. The petition is disposed of in the above terms.

NAVIN CHAWLA, J

JANUARY 11, 2024
RN/AS

[Click here to check corrigendum, if any](#)