



\$~44

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1546/2023**
SHRI YOGINDER KRISHAN MALHOTRA & ANR. Petitioners
Through: Mr.Suresh Chand Singhal, Advocate
with petitioners in person

versus

STATE & ANR. Respondents
Through: Mr.Naval Kishore Jha, APP for State
with ASI Rajinder SI Raghuveer, PS Naraina with
respondent No.2 in person

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

%

08.01.2024

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.66/2015 registered under Sections 288/336/337 IPC at P.S. Naraina, Delhi on the ground that the parties have amicably settled their disputes. After completion of investigation, charge sheet has been filed under Sections 288/338 IPC.
2. As per the allegations levelled in the FIR, the present case was registered on the complaint of respondent No. 2/complainant. The present FIR relates to an incident which occurred on 05.10.2013 around 10:00 AM when petitioner No.2 (being supervisor of petitioner No.1) invited respondent No.2 to see the under-construction building and due to the absence of any railing/warning as well as negligent work, respondent No.2 fell from a height and sustained injuries.



3. Learned APP for the State, submits that in the present case the petitioners are the only accused persons and respondent No.2 is the only complainant/victim.
4. Learned counsels for the parties submit that the parties have entered into a settlement vide Compromise Deed dated 25.02.2023 and in terms of the same, respondent No. 2 is now left with no claim whatsoever against the present petitioners.
5. The petitioners and respondent No.2, who are present in the Court, have been identified by their respective counsels and the Investigating Officer.
6. Respondent No. 2 states that he has entered into the aforesaid Compromise Deed out of his own free will, volition and without any coercion. He further states that he has no objection if the present FIR and consequent proceedings are quashed.
7. Learned counsel for the petitioners submits that no other proceedings are pending between the parties.
8. The parties shall remain bound by the statements made in Court today.
9. In view of the above facts and since no useful purpose will be served in continuance of the present criminal proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed, subject to payment of costs of Rs.10,000/- by each petitioner to be deposited with the Delhi State Legal Services Authority (DLSA) within a period of two weeks from today. The amount so deposited shall be utilized by the DLSA for providing counselling/psychological support to POCSO victims requiring such assistance.



10. Proof evidencing receipt of deposit shall be filed with the Investigating Officer as well as in Court.

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

12. Let a copy of this order be communicated to the Member Secretary, DLSA for information.

13. The Registry shall list the matter before this Court in case receipt of costs to be paid by the petitioners is not filed within the stipulated time period.

MANOJ KUMAR OHRI, J

JANUARY 8, 2024

na