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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1389/2024
SAURABH MONGIA & ANR.Petitioner

Through: Mr. Anil Kr. Singh, Adv.

versus

THE STATE NCT OF DELHI THROUGH SHO PS MAHENDRA
PARK & ANR.Respondent

Through: Mr. Aashneet Singh, APP
SI Jagdish, SI Vishwa Pratap, PS
Mahendra Park

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **17.12.2024**

1. This is the petition filed under Section 482 CrPC seeking quashing of the FIR No. 471/2020 registered at PS Mahendra Park under Sections 287/304A IPC.
2. As per the allegations in the FIR, it is stated that the husband of the respondent No.2 died through electrocution working at the premises of the petitioner No.1. Hence, the FIR.
3. During the pendency of the proceedings, the parties have arrived at a settlement dated 11.10.2021, wherein the petitioners have agreed to pay a sum of Rs. 6.5 lakhs to the respondent no.2 in full and final settlement of all the claims.
4. The petitioners are present in Court and have been identified by Mr. Anil Kr. Singh, learned counsel.
5. The respondent no.2/wife of the deceased is also present in Court and has been identified by SI Vishwa Pratap, PS Mahendra Park.
6. As per the FIR, the deceased was only engaged to do the painting job



7. There are no allegations of negligence on the part of the petitioner. It is only purely by accident that he touched the AC units and the same was not part of his work.
8. Quashing in offences u/s 287/304A is permissible. This court in CRL.M.C. 512/2016, titled *Mahender Singh vs State (Gnct of Delhi) & Ors*, observed:
“9. As discussed above, offences punishable under [Sections 287/304A](#) IPC is not compoundable being of serious nature, however, if the Court feels that continuation of criminal proceedings will be an exercise in futility and justice in this case demands that the dispute between the parties is put to an end and peace is restored, it can order for quashing of the FIR or criminal proceedings as it is the duty of the Court to prevent continuation of unnecessary judicial process.”
9. However, the petitioners voluntarily state that they shall pay another sum of Rs. 6 lakhs to the respondent no.2 for the use and benefit of 3 minor children by way of RTGS transfer.
10. The IO concerned shall ensure that bank accounts of the 3 minor children are opened and a sum of Rs. 2 lakhs each shall be deposited in their accounts which shall be put in a recurring fixed deposit till they attain the age of majority.
11. I am convinced that quashing of such proceedings on account of compromise would bring about peace and would secure ends of justice. It is to be noted that no amount of money can substitute the loss of life. However, money can serve as a bridge to overcome the difficulties of



life due to the loss of a family member. It can lessen the burden of the family members left behind. This should not be treated as a legal precedent as in this case, the proceedings are quashed as the respondent has decided to put a quietus to the matter. The Court does not see any fruitful purpose if criminal proceedings are permitted to be prosecuted any further. It is a fit case for quashing. In this view of the matter, there is no reason to continue the proceedings.

12. The said deposit of Rs. 6 lakhs shall be made within 6 weeks from today.
13. The petitioner will file the proof of payment of deposit before the Court within 8 weeks from today.
14. In case the same is not filed within 6 weeks from today, the file will be put up before the Court by the Registry.
15. In view of the aforesaid, the FIR No. 471/2020 registered at PS Mahendra Park under Sections 287/304A IPC and all consequential proceedings arising therefrom are hereby quashed.
16. The petition is disposed of in the aforesaid terms.

JASMEET SINGH, J

DECEMBER 17, 2024 / (MS)

Click here to check corrigendum, if any