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

+ **CRL.M.C. 1878/2024**

ANUJ MITTAL

.....Petitioner

Through: Mr. Karan Aggarwal, Advocate *via*
video-conferencing.

versus

STATE (GOVT. OF NCT. OF DELHI AND ANR.

.....Respondents

Through: Mr. Hitesh Vali, APP for the State
with SI Sumit P.S.: Bawana.
Mr. Vinay Kumar, Advocate for R2.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

05.12.2024

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By way of present petition filed under section 482 of the Code of Criminal Procedure 1973, the petitioner seeks quashing of case FIR No.364/2021 dated 13.06.2021 registered under sections 287/336/337 of the Indian Penal Code, 1860 ('IPC') at P.S.: Bawana, Delhi. Consequent upon completion of investigation, the offences alleged were modified to sections 287/336/304-A of the IPC *vide* charge-sheet dated 29.01.2022.

2. Pursuant to what was recorded in last order dated 22.10.2024, the petitioner is present in court. His counsel has joined the proceedings *via* video-conferencing. Respondent No.2, who is ordinarily a resident of Kanpur, Uttar Pradesh, has also joined *via* video-conferencing. Her counsel is present in court.
3. *Vide* Settlement Agreement-cum-Memorandum of Understanding dated 05.02.2024, the parties had agreed to a settlement amount of



Rs.13 lacs, out of which Rs. 08 lacs had already been paid by the petitioner to respondent No.2. In the course of hearing on 22.10.2024, it transpired that respondent No.2 has preferred a claim for Rs.24 lacs *plus* interest under the Employees Compensation Act 1923, which claim is still pending consideration before the concerned Labour Commissioner.

4. In view of the observations made by this court on the last date of hearing, learned counsel for the parties inform the court that the parties have re-negotiated the amount of compensation that the petitioner would pay as a pre-condition for respondent No.2 consenting to the quashing of the subject FIR. The petitioner is now offering to pay to respondent No.2 a sum of Rs.17 lacs in full-and-final settlement of all claims arising from the death of her 36-year-old husband, by reason of an accident he suffered in a lift in the factory premises of the petitioner. However, respondent No.2 is asking for a settlement amount of Rs.20 lacs.
5. Considering the overall facts and circumstances of the matter, and in view of what has been expressed by this court at today's hearing, the petitioner has agreed to pay to respondent No.2 a sum of Rs.20 lacs in full-and-final settlement of all her claims, in respect of the death of her husband, within 12 weeks from today.
6. As recorded above, the petitioner has already paid to respondent No.2 a sum of Rs.8 lacs; and has brought a demand draft in the sum of Rs.3 lacs in addition to that.
7. In the circumstances, the present petition is disposed-of with the following directions:



- 7.1. The petitioner shall deposit the demand draft of Rs.3 lacs in the bank account that respondent No.2 holds at State Bank of India, Pooth Khurd Branch, Delhi, the details of which are available with the petitioner, within 05 days; and
- 7.2. The petitioner shall pay the balance sum of Rs. 9 lacs to respondent No.2 in 03 equal monthly instalments of Rs.03 lacs each, within the next 03 months.
8. Subject to the above payments being made as agreed, case FIR No.364/2021 dated 13.06.2021 registered under sections 287/336/337 of the IPC at P.S.: Bawana, Delhi, shall stand quashed. All proceedings arising therefrom also stand closed.
9. Needless to add that if compensation is not paid as directed above, respondent No.2 shall be at liberty to file an application to revive the present proceedings.
10. Petition is disposed-of in the above terms.
11. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

DECEMBER 5, 2024

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