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

+ **W.P.(CRL) 921/2024**

WAZIR SINGH DAHIYA

..... Petitioner

Through: Mr.Rishi Sood, Mr.Gujot Singh
and Mr.Sanjay Rathee, advs.
along with petitioner in person.

versus

STATE OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr.Rahul Tyagi, ASC (Crl.)
with Ms.Priya Rai, Mr.Sangeet
Sibou, Mr.Jatin and Mr.Mathew
Phillip, Advs.
Insp. Sachin
R-2 to R-4 present in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **20.03.2024**

CRL.M.A. 8792/2024 (Exemption)

1. Allowed, subject to all just exceptions.

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2. This petition has been filed under Article 226 of Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No.627/2022 registered at Police Station: Patparganj Industrial Area, Delhi, under Sections 285/304A of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.

3. Issue notice.

4. Notice is accepted by Mr.Rahul Tyagi, learned Additional



Standing Counsel (Crl.) for the State and by the respondent nos.2 to 4, who are present in person.

5. The subject FIR arose due to the unfortunate death of the deceased which occurred due to outbreak of fire in the factory premises of the Company of the petitioner, where he was doing his job.

6. The learned counsel for the petitioner submits that the parties, that is, the petitioner and the respondent nos.2 to 4 have now amicably settled their *inter se* disputes and have entered into a settlement vide Memorandum of Understanding dated 02.03.2024.

7. The learned counsel for the petitioner has handed over three Demand Drafts totalling to Rs.4,00,000/- to the respondent nos.2 to 4, who are personally present in Court and have been duly identified by the Investigating Officer (IO).

8. The respondent nos.2 to 4 have also received an amount of Rs.15.79 lacs as determined by the Labour Commissioner as compensation.

9. The respondent nos.2 to 4 reaffirm the abovementioned settlement and state that they have settled all the disputes with the petitioner out of their own free will and without any coercion. They submit that they have no objection if the present FIR is quashed.

10. I have perused the contents of the FIR and also the settlement between the parties.

11. Keeping in view the fact that the disputes between the parties arose due to the unfortunate and accidental death of the deceased, and now the said disputes have been amicably settled between the parties,



I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as the chances of its success will be rather minuscule and will be an unnecessary burden on the State exchequer.

12. Guided by the principles enunciated by the Supreme Court in its judgments in *Gian Singh v. State of Punjab*, (2012) 10 SCC 303; *Parbatbhai Aahir @ Parbatbhai Bhimsinbhai 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, this Court deems it appropriate, in the interest of justice, to exercise its inherent powers under Section 482 of the Cr.P.C. to quash the FIR and all the proceedings emanating therefrom.

13. Accordingly, the petition is allowed. FIR No.627/2022 registered at Police Station: Patparganj Industrial Area, Delhi, under Sections 285/304A of the IPC and all consequential proceedings emanating therefrom against the petitioner are quashed.

NAVIN CHAWLA, J

MARCH 20, 2024/ns/am

Click here to check corrigendum, if any