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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1300/2023**
NAROTTAM SAHUPetitioner

Through: Mr. Gaurav Goel and Mr.Naman
Varma, Advocates.

versus

THE STATE & ORS.Respondents

Through: Ms. Rupali Bandhopadhyaya, ASC with
Mr. Abhijeet Kumar, Advocate with
ASI Santosh Kumar, P.S.K.N.K.Marg
Mr. Nagendra Kasana and Ms.
Anjana Kasana, Advocates for R-6.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
11.09.2024

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1. Petition under Section 226 of the Constitution of India read with Section 482 Cr.P.C has been filed on behalf of the petitioner for quashing of FIR No.454/2019 under Section 288/304A IPC registered at Police Station KNK Marg, Rohini, New Delhi.
2. It is stated that the parties have settled their disputes vide Settlement Deed dated 09.12.2019 entered into between respondent Nos.2 to 5 and respondent No.6 as well as petitioner herein
3. It is submitted that Sh. Rakib Sekh aged about 21 years, died in an accident during the course of employment at the worksite owned by respondent No.6 of which petitioner was the Supervisor.
4. The parties are present in the Court in-person today, and have



been identified by their counsel and Investigating Officer concerned. The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily.

5. Pursuant to the settlement, respondent No.6 has already given Rs.15 lakhs jointly to respondent Nos.2 to 5 which has been put in their joint account which is still lying in the bank.

6. The parties have submitted that all the disputes have been amicably settled *vide* Settlement Deed dated 09.12.2019 and thus, no fruitful purpose will be served in continuing with the FIR.

7. The present petition has been signed by all the parties and is supported by their respective affidavits. The parties have reaffirmed the terms of the settlement arrived at *vide* Settlement Deed dated 09.12.2019 and they also submit that the said Compromise has been arrived at between the parties without any pressure and coercion.

8. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion and also the fact that the present matter is a family matter, I am of the opinion that no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

9. Moreover, there is no legal impediment in quashing the FIR in question.

10. Respondent No.2 wife of the deceased who is present with a small child submits that the money has not been released and is still in the Bank in the joint account. She is now living with her parents and



till date no money has been released to her. Also, she is living with her parents.

11. Considering the settlement and the tender age of respondent No.2 and also that she has a small child aged 5 years who is in her custody, it is hereby directed that out of Rs.15 lakhs which is lying in the joint account, Rs.3 lakhs be released to Rekesana Bibi, respondent No.4 being the mother of the deceased. The balance amount of Rs.12 lakhs be transferred in the individual account of respondent No.2 with a direction that Rs.6 lakhs be deposited in the name of the child under the Guardianship of respondent No.2 till the child attains the age of majority. Rs.4 lakhs out of Rs.6 lakhs to be given to respondent No.2, be put in an FDR of Rs.2 lakhs each for a period of three years and seven years respectively. The compliance be made by the parties and the report be submitted in the Court.

12. The petition is hereby accepted and the compliance be made within 7 days.

13. Accordingly, FIR No.454/2019 under Section 288/304A IPC registered at Police Station KNK Marg, Rohini, New Delhi and all consequential proceedings emanating therefrom are quashed.

14. The petition stands disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 11, 2024

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