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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1443/2024, CRL.M.A. 14043/2024**
SMT ARCHNA DEVI

.....Petitioner

Through: Mr. Praveen Suri and Mr. Akhil
Kumar, Advocates along with
petitioner in person.

versus

THE STATE OF DELHI AND ORS

.....Respondents

Through: Mr. Yasir Rauf Ansari, Ld. ASC for
State with ASI Subh Ram, P.S.
Sagarpur.
Respondent No.2 to 5 in person.
Mr. Saket Gakhar, Advocate for R-3
to 9.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

05.08.2024

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1. A Criminal Writ Petition under Article 226 of the Constitution of India read with Section 482 Cr.P.C has been filed on behalf of the petitioner seeking quashing of FIR No.0132/2024 under Section 336/337/304A IPC registered at Police Station Sagarpur.

2. It is submitted in the petition that the petitioner is running a small fabrication unit under the name and style of M/s Garvit Fab, West Sagarpur, New Delhi, duly registered with the Ministry of Micro, Small and Medium Enterprises, Govt. of India. The petitioner is doing the fabrication business and respondent No.9 Shri Rahul is a regular employee and has been provided with the residential facility at the residence of the petitioner. One another employee Shri Manoj Sah was also working as a daily wager with



the petitioner.

3. That on 01.02.2024 at around 10:40 P.M respondent No.9 and Shri Manoj Sah were doing the work when an electric short circuit occurred due to which both respondent No.9 Rahul and Shri Manoh Sah suffered burn injuries and were admitted to Ram Manohar Lohia Hospital. Due to burn injuries, Shri Manoj Sah died on 10.02.2024 while respondent No.9 was discharged from hospital after getting treatment. A FIR bearing No.0132/2024 under Section 336/337 IPC was registered at Police Station Sagarpur and on the death of Shri Manoj Sah Section 304 A was also added. Shri Manoj Sah has left behind his legal heirs i.e. wife Smt. Ram Wati Devi, father Shri Surat Sah, mother Smt. Siyamati Devi, two daughters Ms. Rupali Kumar and Smt. Soni Devi and one minor son Master Krish Kumar.

4. It is submitted that vide Memorandum of Settlement dated 01.05.2024 the petitioner has settled the matter with respondent No.3 Smt. Ram Wati Devi wife of deceased Shri Manoj Sah and respondent No.9 Shri Rahul. In view of Settlement dated 01.05.2024 it is agreed that Rs.7 lakhs shall be paid by the petitioner to respondent Nos.3 to 8 as compensation; out of which Rs.3 lakhs will be paid to her at the time of signing of Memorandum of Settlement and the remaining amount of Rs.4 lakhs will be paid at the time of quashing of FIR.

5. It is also agreed that petitioner will continue the employment of respondent No.9 Shri Rahul for a period of two years i.e. till 30.04.2026 and will not suspend or terminate him from his services. The respondent No.9 shall be provided with full salary, accommodation and other treatment expenses and Rs.1 lakhs will be handed over to him at the time of quashing of FIR.



6. The petitioner has paid a sum of Rs.4,00,000/- (Rupees Four Lakh) to Respondent No.3 Smt. Ramwati Devi in the Court today by way of a Demand Draft No.758275 dated 02.08.2024 drawn on Canara Bank, Janakpuri Branch, New Delhi.

7. Petitioner has also paid to Respondent No.9 Shri Rahul a sum of Rs.1 lakh by way of Cheque No.368429 dated 07.05.2024 drawn on Canara Bank, Janakpuri, New Delhi. Thus, the petitioner and respondents have left with no grudge or grievance against each other in any manner whatsoever. Therefore, the Petition be quashed.

8. Considering that the compensation was paid not only for the wife but also for the father-in-law, mother-in-law, two daughters and one minor son, it is hereby directed that the respondent No. 3 shall get the account of the minor son opened and the compensation amount shall be deposited in their accounts in the following manner: -

Name	Age	Amount in Rupees	Remarks
Smt. Ramwati Devi	30 years	1,00,000/-	Out of total sum of Rs.1,00,000/-, Rs.50,000/- be released to Smt. Ramwati Devi immediately and the balance amount of Rs.50,000/- be kept in FDR for a period of three years.
Master Krish Kumar	11 years	3,00,000/-	FDR (Till the date of



			attaining majority)
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9. The FDR of minor Master Krish Kumar shall be under the guardianship of mother Smt. Ramwati Devi and the interest be withdrawn by her quarterly to meet the day-to-day requirements.

10. 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 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.

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

12. In view of the submissions made, the Petition is allowed. Accordingly, the FIR bearing No. 0132/2024 registered at Police Station Sagarpur, for the offences punishable under Sections 336/337/304A Indian Penal Code, 1860 with all the subsequent proceedings is hereby quashed *qua* the petitioner Smt. Archana Devi.

13. Accordingly, the Petition stands disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 5, 2024/va