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

+ **W.P.(CRL) 1945/2023 & CRL.M.A. 28884/2023**

RAMAN DEEP SINGH

..... Petitioner

Through: Mr Dalvinder Singh, Advocate along
with petitioner in person.

versus

**THE STATE (GOVT OF NCT DELHI) THROUGH
SHO PS JAGAT PURI, DELHI & ORS.**

..... Respondents

Through: Mr Yasir Rauf Ansari, ASC for the
State with Mr Alok Sharma and Mr
Vasu Agarwal, Advocates with ASI
Anil Kumar, PS Jagatpuri.
Mr Rajat Vadhera, Advocate for R-2
to R-4 along with respondent nos.2 to
4 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

17.05.2024

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1. The present petition has been filed under Article 226 of the Constitution of India read with Section 482 CrPC seeking quashing of FIR No.0390/2023 under Sections 288/337 IPC (Section 304 IPC was added subsequently) registered at Police Station Jagatpuri, District Shahdara, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have entered into a compromise with the legal heirs of the deceased.

2. Originally, when the petition was filed only two sons of the deceased were impleaded as parties, however, learned Additional Standing Counsel



for the State had pointed out that apart from the two sons, the deceased is also survived by a daughter. Accordingly, the petitioner took steps and impleaded daughter of the deceased as respondent no.4.

3. The amended memo of parties is on record.

4. The petitioner, as well as, the legal heirs of the deceased are present in the Court and they have been identified by their respective counsel and by the Investigating Officer ASI Anil Kumar, PS Jagatpuri.

5. The brief facts of the case are that the deceased was working as labourer and was doing repair work in the property of the petitioner. In the absence of the petitioner, the deceased met with an accident, fell from the roof and received injuries. Subsequently, the deceased Shi Chanai @ Anil expired while being treated. This led to the registration of the aforesaid FIR.

6. During the pendency of the proceedings, the legal heirs of the deceased have arrived at a settlement with the petitioner.

7. In terms of the said settlement, it has been agreed that the petitioner shall pay a total sum of Rs.4,00,000/- to the respondent nos.2 to 4, who are the legal heirs of the deceased. The amount of Rs.1,40,000/- was paid at the time of entering into the settlement and the balance amount of Rs.2,60,000/- has been paid today to the respondent nos.2 to 4 in the following manner:-

- a) DD No.398875 dated 24.04.2024 for a sum of Rs.86,667/- issued by Bank of Baorda, Nehru Place Branch in favour of the respondent no.2.
- b) DD No.398874 dated 24.04.2024 for a sum of Rs.86,667/- issued by Bank of Baroda, Nehru Place Branch in favour of the respondent no.3; and
- c) DD No.398876 dated 24.04.2024 for a sum of Rs.86,667/-



issued by Bank of Baroda, Nehru Place Branch in favour of the respondent no.4.

8. The receipt of entire amount of Rs.4,00,000 is acknowledged by the respondent nos.2 to 4, who are present in court.
9. The respondent nos.2 to 4, on a query put by the Court, state that they have no objection in case the FIR is quashed.
10. At this stage, apt would it be to refer to the observations of the Supreme Court in ***Gian Singh v. State of Punjab, (2012) 10 SCC 303: (SCC p. 340, para 58).***

“58. Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor.”

11. In view of the settlement between the parties, the ultimate chances of conviction in the case are bleak, therefore, continuation of criminal proceedings will not serve any useful purpose and it will be an exercise in futility.
12. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.
13. Consequently, the petition is allowed and the FIR No.0390/2023 under Sections 288/337 IPC (Section 304 IPC was added subsequently) registered at Police Station Jagatpuri, District Shahdara, Delhi alongwith all other proceedings emanating therefrom, is quashed.



14. The petition stands disposed of in the above terms.
15. Order be uploaded on the website of this court.

MAY 17, 2024
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VIKAS MAHAJAN, J