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

+ **CRL.M.C. 4299/2024**

RAJIV KUMAR JHA

..... Petitioner

Through: Mr. Gaurav Dua and Mr. Manish
Gupta, Advs.
Petitioners in person.

versus

THE GOVT. OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr. Raghuinder Verma, APP for State
with SI Sachin Panwar and Insp.
Manjeet PS Fatehpur Beri
Respondent in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

24.05.2024

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CRL.M.A. 16299/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 4299/2024

3. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0444/2018 under Section 304A IPC registered at Police Station Fatehpur Beri and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. Issue notice. The learned APP for the State accepts notice. He submits that since the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.



5. The brief facts of the case are that the deceased was a lineman with M/s Amarnath Electricals Pvt. Ltd. On 19.10.2018, the deceased was working on an electric pole at Pragati Marg, Sultanpur, Near Peer Baba Mandir. While climbing down from the said pole, the deceased got electrocuted and passed away. Accordingly, the said FIR was registered.
6. There was a contract between Amarnath Electricals Pvt. Ltd. and BSES Rajdhani Power Ltd. wherein former was responsible for providing all the safety gears to the employees. Petitioner herein was the Chief Managing Officer at Amarnath Electricals.
7. During the pendency of the proceedings, the parties arrived at a settlement, terms whereof were reduced in writing in the form of Settlement agreement dated 29.04.2024, which is annexed as Annexure C to the present petition.
8. It is a term of the settlement between the parties that the petitioner has to pay a total sum of Rs.10,80,000/- to the respondent no.2 towards full and final settlement of all her claims and claims of other legal heirs.
9. The entire amount of Rs. 10,80,000/- has been already paid as mentioned in the settlement.
10. The receipt of entire amount of Rs.10,80,000/- is acknowledged by the respondent no.2, who is present in court.
11. The respondent no.2, on a query put by the Court, states that she has no objection in case the FIR is quashed.
12. In view of the fact that the parties have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.
13. It is, thus, in the interest of justice that the present FIR and all the



other proceedings emanating therefrom be quashed.

14. Consequently, the petition is allowed and the FIR No.0444/2018 under Sections 304A IPC registered at Police Station Fatehpur Beri alongwith all other proceedings emanating therefrom, is quashed.

15. The petition stands disposed of in the above terms.

16. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

MAY 24, 2024

N.S. ASWAL