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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4317/2024**
PUNJAB KESARI PUBLISHERS PVT LTD THROUGH ITS
AUTHORIZED REPRESENTATIVE

..... Petitioner

Through: Mr.Mohit Mathur, Sr. Adv.
with Mr.Vijay Chawla,
Mr.Dhruv Chawla, Mr.Vipul
Saini, Mr.Huzaifa Ibrahim and
Mr.Harsh Gautam, Advs.

versus

STATE OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr.Aman Usman, APP with SI
Dinesh Kumar
Mr.Akshit Mago, Adv. for R-2
to R-5 along with R-2 to R-5 in
person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
24.05.2024

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CRL.M.A. 16387/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 4317/2024

2. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No.0168/2024 registered at Police Station: Keshav Puram, New Delhi, under Sections 287/304A 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.Aman Usman, learned APP for the respondent no.1 and by Mr.Akshit Mago, Advocate for the respondent nos.2 to 5.

5. The learned counsel for the petitioner submits that the deceased was the husband of the respondent no.2 and the respondent nos.3 to 5 are their children. He submits that the unfortunate accident occurred when the deceased was working in the lower part of the tower and the cloth of the deceased got stuck in the machine.

6. He submits that the parties have now amicably settled their *inter se* disputes and have executed a settlement vide Memorandum of Compromise/Settlement dated 27.04.2024.

7. The learned counsel for the petitioner submits that the petitioner has already agreed to pay compensation of Rs.6 lakhs to the family of the victim out of which Rs.2 lakhs already stands paid and the remaining amount of Rs.4 lakhs shall be paid today by way of a cheque in the name of the wife of the deceased. He submits that the petitioner is ready and willing to pay another sum of Rs.5 lakhs to the family of the deceased apart from the statutory liability. The petitioner undertakes that the cheque on presentation shall be duly honoured.

8. The learned APP submits that the investigation is at the initial stage and the liability is yet to be determined.

9. The respondent nos.2 to 5 are personally present in Court and have been duly identified by the Investigating Officer. They reaffirm the abovementioned settlement and state that they have settled all their



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. Having considered the contents of the FIR and looking into the nature of the allegations and keeping in view the fact that the respondent nos.2 to 5 do not wish to pursue their complaint any further, as also the Settlement arrived at between the parties, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as it would create further acrimony between the parties 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. Subject to the petitioner paying a sum of Rs.4 lacs and an additional sum of Rs.5 lacs that has been agreed to be paid today to the family of the deceased in the name of the wife of the deceased and binding the petitioner to its undertaking that the cheque of the abovesaid amount(s) shall be



honoured upon its presentation, FIR No.0168/2024 registered at Police Station: Keshav Puram, New Delhi, under Sections 287/304A of the IPC and all consequential proceedings emanating therefrom against the petitioner are quashed.

NAVIN CHAWLA, J

MAY 24, 2024/ns/am

[Click here to check corrigendum, if any](#)