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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4394/2024**
MANOJ MALIK & ANR. Petitioners
Through: **Mr.Rishabh Kanojiya, Adv.**

versus

STATE NCT OF DELHI & ORS. Respondents
Through: **Mr.Aman Usman, APP with SI**
Anoop Singh
Mr.Mehtab Singh, Adv. for R-2
and R-3 along with R-2 & R-3
in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **28.05.2024**
CRL.M.A. 16675/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 4394/2024

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.401/2021 registered at Police Station: Begum Pur, Rohini District, 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.Mehtab Singh, Advocate for the respondent nos.2 and 3.



5. The learned counsel for the petitioners submits that respondent nos.2 and 3 are the parents of the deceased. He submits that the unfortunate accident occurred when the deceased was lifting the cutter grinder used for cutting the iron rods and got electrocuted. He submits that the parties have now amicably settled their *inter se* disputes and in pursuance of the same have executed a Memorandum of Understanding dated 18.05.2024.

6. The learned counsel for the petitioners also submits that a suit which was filed by the Complainants has also been settled and the Complainants have withdrawn the suit. They have also received Rs.8 lakhs as part of the compensation that had been agreed upon. The petitioners have transferred further an amount of Rs.4 lakhs to the respondent nos.2 and 3 as a full and final settlement of all claims.

7. The respondent nos.2 and 3, who are personally present in Court and have been duly identified by the IO, reaffirm the abovementioned settlement and state that they have settled all the disputes with the petitioners out of their own free will and without any coercion. They submit that they have no objection if the present FIR is quashed.

8. I have perused the contents of the FIR and also the settlement between the parties.

9. Keeping in view the fact that the respondent nos.2 and 3 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.

10. 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.

11. Accordingly, the petition is allowed. FIR No.401/2021 registered at Police Station: Begum Pur, Rohini District, Delhi, under Sections 287/304A of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

MAY 28, 2024/ns/am

Click here to check corrigendum, if any