



\$~55

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

+ **CRL.M.C. 4926/2024 & CRL.M.A. 18817/2024**

SH. BRAJESH NARAYAN SINGHPetitioner

Through: Mr. Ghanshyam Thakur, Advocate
with petitioner in person.

versus

STATE GOVT OF NCT OF DELHIRespondent

Through: Mr. Laksh Khanna, APP for State
with SI Akanksha PS North Avenue,
Delhi (M:9140021811).
Respondent nos. 2 and 3 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

02.09.2024

%

1. The present proceedings are instituted on behalf of the petitioner seeking quashing of FIR No. 100/2023 registered under Sections 288/337 IPC at Police Station North Avenue, New Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR the respondent No.2 while working on an under construction site fell from the 10th floor and got stuck in a net, suffering head injuries.
3. Mr. Laksh Khanna, learned APP for the State, on instructions, submits that one more person namely Mr. *Akhilesh Pandey* who was the contractor was also arrayed as an accused. He further states that respondent Nos.2 is the victim and respondent No.3 is the complainant in the present case.
4. Learned counsel for the petitioner who is the manager of Rama Civil



India Pvt Ltd. on instructions from the petitioner submits that the present FIR was registered due to some misunderstanding and with the intervention of friends, parties have amicably settled their disputes and affidavits of respondent nos. 2 and 3 in this regard have also been filed. It is stated that in terms of the settlement, respondent nos. 2 and 3 are now left with no claim or grievance against the petitioner. It is further stated that though all medical expenses were taken care of by the company, a further sum of Rs.1 lac will be given to the victim/respondent no.2 by way of demand draft/banking transfer through IO within one week from today. He also on instructions submits that in case the respondent no.2 or any immediate family member of the respondent is willing to take up the employment with the company namely Rama Civil Construction Pvt. Ltd in the future, the same would be provided to them. The statement made on behalf of the petitioner is accepted and is taken on record. The petitioner shall remain bound by the same. It is also stated that besides the present petitioner, the Supervisor namely *Akhilesh Pandey* was also arrayed as an accused in the said FIR. Mr. Akhilesh Pandey is present in Court today and is identified by the IO. Respondent no.2/victim says that he has no objection in case FIR is also quashed qua him.

5. The petitioner, who is present in Court, has been identified by his counsel as well as the I.O./ SI Akanksha PS North Avenue, Delhi. Mr. Akhilesh Pandey, who is also present in the Court and is identified by the IO. Respondent Nos. 2 and 3 are also present in Court and have been identified by the I.O.

6. The petitioner and Mr. Akhilesh Pandey shown remorse for their conduct and undertake not to repeat the same in future. Respondent No. 2



and 3 also state that they entered into the aforementioned compromise out of their own free will, volition and without any coercion. They further states that they have no objection if the present FIR and consequent proceedings are quashed.

7. The parties shall remain bound by the statements made in Court today.

8. In view of the above facts and considering that no useful purpose will be served in continuance of the proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed against the petitioner and Mr. Akhilesh Pandey, subject to payment of Rs.1 lac to the respondent no.2 within two weeks.

9. With the above directions, the petition is disposed of alongwith miscellaneous application.

10. In case the amount of Rs.1 lac is not paid within two weeks, the IO shall move an appropriate application in this regard.

MANOJ KUMAR OHRI, J

SEPTEMBER 2, 2024/rd