



\$~32

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5079/2022**
AMIT KUMAR VERMA & ANR.

..... Petitioners

Through: Mr.Mandeep Singh Kapoor,
Adv.

versus

**THE STATE, GOVERNMENT OF NATIONAL CAPITAL
TERRITORY OF DELHI & ANR.**

..... Respondents

Through: Mr.Aman Usman, APP with SI
Sandeep
Mr.Akash Tomar, Adv. for R-2.
Respondent nos.2 to 5 in
person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
20.05.2024

%

1. 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.14/2017 registered at Police Station: Punjabi Bagh, West District, Delhi, under Sections 288/304A/34 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.
2. The learned counsel for the petitioners 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 engaged in the work of changing a



shed in the Army Unit, Shakur Basti and at that time, old cemented shed broke and he fell down on the ground. He submits that the parties have now amicably settled their *inter se* disputes before Delhi Mediation Centre, Tis Hazari Courts, Delhi, and have entered into a settlement dated 02.08.2022.

3. The learned counsel for the petitioners has handed over two cheques dated 21.05.2024 and dated 25.06.2024 of a sum of Rs.50,000/- each to the respondent nos.2 to 5, who are personally present in Court and have been duly identified by the IO. The petitioners are also present in Court and have been duly identified by the IO and submit that the cheques on presentation will be duly honoured.

4. The respondent nos.2 to 5 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.

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

6. 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.

7. 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.

8. Accordingly, the petition is allowed. Binding the petitioners to the statement made hereinabove, FIR No.14/2017 registered at Police Station: Punjabi Bagh, West District, Delhi, under Sections 288/304A/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed.

NAVIN CHAWLA, J

MAY 20, 2024/ns/AS

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