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

+ **CRL.M.C. 5067/2024**

DHEERAJ ARORA & ANR.

.....Petitioners

Through: Mr. Raj Kumar and Mr. Yogender
Pal, Advocates.

versus

STATE & ORS.

.....Respondents

Through: Ms. Priyanka Dalal, APP for the
State.
Mr. Sunil Kumar and Mr. Suman
Jaiswal, Advocates for R-2 & 3.
SI Nitin Tomar, PS Laxmi Nagar.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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05.07.2024

CRL.M.A. 19373/2024 (Exemption)

Allowed, subject to all just exceptions.

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1. The present petition under Section 482 of the Cr.P.C. has been filed for quashing FIR No.2637/2014, dated 15.12.2014 under Sections 304A/34 IPC registered at Police Station Shakarpur, on the ground of amicable settlement arrived at between the parties.
2. Material on record discloses that Petitioner No.1 herein is a contractor and his workers were carrying a long iron angle and while taking the angle from one side of the road to the other, the husband of Respondent No.2 herein, who was on his motorcycle, hit the iron angle and sustained grievous

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injuries and lost his life. The present FIR was, therefore, registered against the Petitioners herein. Material on record discloses that a civil suit has been filed by the legal heirs of the deceased against the Petitioners herein for compensation. It is stated that the matter has been settled between the parties and the parties have entered into a Memorandum of Understanding dated 31.01.2024 by which the Petitioners have agreed to pay Rs.8,00,000/- to the wife, son and the father of the deceased.

3. Though the learned APP for the State raises objections regarding quashing of the FIR on the ground that it is a case of gross negligence and a person has lost his life, this Court is of the opinion that since parties have settled the matter and continuation of proceedings emanating from the present FIR would only mean further harassment of the widow and old aged father of the deceased, this Court is inclined to exercise its jurisdiction under Section 482 Cr.P.C to quash the present FIR.

4. Today, the wife/Respondent No.2 and the father/Respondent No.3 of the deceased and the Petitioners are present in Court and have been identified by their respective Counsels and the Investigating Officer. Respondents No.2 & 3 state that they have settled all the disputes with the Petitioner out of their own free will, without pressure, coercion or undue influence. They further state that they have received the entire amount of Rs.8,00,000/- from the Petitioners. The parties undertake that they will remain bound by the settlement arrived at between them and the proceedings recorded before this Court. The parties understand the implication of the present proceedings.

5. In view of the mutual settlement arrived at between the parties and in view of the fact that the instant case is squarely covered by the law laid



down by the Supreme Court in Gian Singh vs. State of Punjab, (2012) 10 SCC 303, this Court is satisfied that no useful purpose will be served in continuing with the present proceedings. Resultantly, FIR No.2637/2014, dated 15.12.2014 under Sections 304A/34 IPC registered at Police Station Shakarpur, and the proceedings emanating therefrom are hereby quashed. The parties shall remain bound by the mutual settlement and the undertaking given to the Court.

7. The parties are warned not to indulge in such acts in future.
8. The Petition stands disposed of in above terms.

SUBRAMONIUM PRASAD, J

JULY 05, 2024

Rahul