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

+ CRL.M.C. 5479/2022 & CRL.M.A. 28758/2023

SMRITI CHUGH

..... Petitioner

Through: Mr.Pawan Kawrani, Mr.Anshay
Shandilya, Advs. with
petitioner in person.

versus

STATE OF NCT OF DELHI & ANR. Respondents

Through: Ms.Priyanka Dalal, APP with
SI Namesh Yadav.
Respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

14.02.2024

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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.511/2022 registered at Police Station: Begumpur, North-West District, Delhi, under Sections 288/304A of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.
2. The subject FIR arose out of the unfortunate death of the deceased which occurred due to electrocution because of an accident in the rented property of the petitioner, where he was doing his job.
3. The learned counsel for the petitioner submits that the parties have now amicably settled their *inter se* disputes and have entered into a settlement vide Settlement Agreement/Compromise dated 17.10.2022.
4. The respondent no.2 who is personally present in Court and has



been duly identified by the Investigating Officer (IO), reaffirms the abovementioned settlement and states that she has settled all the disputes with the petitioners out of her own free will and without any coercion. The respondent no.2 submits that she has no objection if the present FIR is quashed.

5. The learned counsel for the petitioner submits that the petitioner, apart from the amount of Rs.4,00,000/- which is remaining to be paid in terms of the said settlement, undertakes to pay a further sum of Rs.1,00,000/- to the respondent no.2 over and above the amount of settlement.

6. He hands over a Demand Draft of the remaining amount of Rs.4,00,000/- to the respondent no.2 in Court and states that Rs.1,00,000/- is transferred by way of RTGS.

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

8. Keeping in view the fact that the disputes between the parties arose out of the unfortunate and accidental death of the deceased, and now the said disputes have been amicably settled between the parties, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR as the chances of its success will be rather minuscule and will be an unnecessary burden on the State exchequer.

9. 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 3, 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.

10. Accordingly, the petition is allowed. FIR No.511/2022 registered at Police Station: Begumpur, North-West District, Delhi, under Sections 288/304A of the IPC and all consequential proceedings emanating therefrom against the petitioner are quashed.

11. The pending application is also disposed of as infructuous.

NAVIN CHAWLA, J

FEBRUARY 14, 2024/Arya/AS

Click here to check corrigendum, if any