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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 2958/2023**

MOHAMMAD NADEEM

.....Petitioner

Through: Ms. Shakshi Kaul, Advocate with
petitioner in person.

versus

**THE STATE OF NCT OF DELHI THROUGH SHO SARAI
ROHILLA & ORS.**

.....Respondents

Through: Mr. Yasir Rauf Ansari, ASC for the
State with Mr. Alok Sharma and
Mr. Vasu Agarwal, Advocates along
with ASI Krishan Kumar, P.S.Sarai
Rohilla.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
03.09.2024

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1. The present Petition under Section 226 of the Constitution of India read with Section 482 of the Cr.P.C, has been filed on behalf of the petitioner seeking quashing of FIR No. 0514/2023, registered at Police Station Sarai Rohilla, Delhi, for the offence punishable under Sections 304A of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*).
2. Issue notice.
3. Mr. Yasir Rauf Ansari, learned ASC accepts notice on behalf of the State.
4. It has been submitted that the matter has been amicably settled between the parties *vide* Compromise Deed dated 04.10.2023, which



is taken on record. The deceased, Raju aged about 36 years had come to the factory of the petitioner where he unfortunately died because of electrocution. The matter has been amicably settled with the mother, wife and three children of the deceased.

5. As per the terms of the Settlement, the petitioner shall pay a total sum of Rs.7,50,000/- as full and final settlement of all the claim of the respondents. A sum of Rs.2,50,000/- has already been paid to respondent No.2, Bibi Yasmin, wife of the deceased and Rs.1,00,000/- has already been paid to Kamarun Nisha, respondent No.6, mother of the deceased. A bank draft bearing No. 512093 dated 02.09.2024 drawn on ICICI Bank, Nalanda, Bihar Sharif branch in the sum of Rs. 3,00,000/- is handed over in the Court today to respondent No.2 and another bank draft bearing No. 512091 dated 02.09.2024 drawn on ICICI Bank, Nalanda, Bihar Sharif branch in the sum of Rs. 50,000/- is handed over in the Court today to respondent No.6. A request for quashing of the FIR has been made on account of the Settlement Agreement *inter se* the parties. In view of the settlement, the present Petition has been filed.

6. The parties are present in the Court in person and have been identified by their counsel and Investigating Officer concerned. The parties have endorsed the amicable settlement and accepted the terms thereof voluntarily.

7. Out of the amount of Rs.3,00,000/-, in the name of Bibi Yasmin, the respondent No.2, Rs.2,50,000/- be kept in the FDR, for a period of seven years and out of the amount of Rs.50,000/-, in the name of Kamarun Nisha, the respondent No.6, Rs.30,000/- be kept



in the FDR, for a period of five years. The respondent No. 2 is at liberty to withdraw the quarterly interest to meet the day to day expenditure of the children.

8. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion. Hence, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto. Moreover, there is no legal impediment in quashing the FIR in question.

9. Accordingly, FIR No. 0514/2023, registered at Police Station Sarai Rohilla, Delhi, for the offence punishable under Sections 304A of the Indian Penal Code, 1860 and all consequential proceedings emanating therefrom are quashed.

10. The Petition stands disposed of. The pending application also stands disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 3, 2024

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