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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 7426/2023**

RANDHIR SUKHIJA

..... Petitioner

Through: Mr. Aayush Malhotra and Mr.
Shobhit Garg, Advocates with
petitioner in person.

versus

THE STATE (GOVT. OF NCT DELHI) & ANR..... Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with IO/SI Raghbir Prasad and SI
Sumit Kumar, P.S. Naraina.
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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10.05.2024

1. The present petition has been filed under Article 227 of the Constitution of India read with Section 482 Cr.P.C. seeking quashing of FIR No.215/2018 registered under Section 304A IPC at P.S. Naraina, Delhi on the ground that the parties have amicably settled their disputes.
2. As per the allegations levelled in the FIR, one *Baban Singh* died after suffering an electric shock while on his duty.
3. Mr. Sabharwal, learned APP for the State, on instructions, submits that the petitioner is the only accused person. Further, wife of the deceased has been impleaded as respondent No.2 in the present case. It is further informed that chargesheet has been filed in the present case under the aforesaid section.
4. Learned counsel for the petitioner states that the matter has been amicably settled between the parties on 22.11.2019 before Delhi Govt.



Mediation & Conciliation Centre, Delhi Dispute Resolution Society (Regd.). He, on instructions from the petitioner who is present in Court, states that petitioner has already paid a sum of Rs.4,50,000/- to respondent No.2 and volunteers to pay a further sum of Rs.8,00,000/-. It is also stated that respondent No.2 is employed with the petitioner on a salary of Rs.18,000/- per month since 2018, which shall also be enhanced to Rs.25,000/- per month. Learned counsel further submits that petitioner has handed over an undertaking to this effect in the form of an affidavit, which is taken on record.

5. In the present case, no eye-witness of the incident has been found or cited. Further, during the course of investigation, an inspection of the place of incident was carried out. However, a perusal of the chargesheet filed subsequently, does not attribute any negligence on the part of the petitioner. Further, nothing has been mentioned as to how the petitioner suffered electric shock or that the same resulted from any negligent act by petitioner.

6. The petitioner, who is present in Court, has been identified by his counsel as well as the I.O./SI Raghubir Prasad and SI Sumit Kumar, P.S. Naraina, Delhi. Respondent No. 2, who is also present in Court, has been identified by the I.O.

7. Respondent No.2 states that she has entered into the settlement with the petitioner out of her own free will, volition and without any coercion. She further states that she has no objection if the present FIR and consequent proceedings are quashed, subject to payment of Rs.8 lacs as undertaken by the petitioner.

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



9. 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, subject to payment of Rs.8 lacs by the petitioner to respondent No. 2 through a demand draft with a period of two weeks from today.

10. Proof evidencing receipt of payment of Rs.8 lacs shall be filed with the I.O. failing which, I.O. shall be at liberty to move appropriate application.

11. With the above directions, the petition is disposed of.

MANOJ KUMAR OHRI, J

MAY 10, 2024/PB