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

+ **W.P.(CRL) 2143/2024 & CRL.M.A. 20786/2024**

ALOK NATH GOSWAMI

.....Petitioner

Through: Mr. Pramod Gupta and Mr. Harsh Jaiswal, Advocates with Petitioner in person.

versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Sanjeev Bhandari, ASC for the State with SI Rajesh Kumar, DIU/Dwarka.
Respondents in person

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

27.08.2024

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1. The present petition under Article 226 of the Constitution of India read with Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed by the Petitioner for quashing FIR No.504/2016 dated 18.06.2016 registered at Police Station Dabri for the offence punishable under Section 304A IPC on the ground that the parties have entered into a settlement.
2. The facts of the case reveal that husband of Respondent No.2 herein, while operating submersible water pump, came in contact with metallic water pipe line and got electrocuted and passed away. On the said incident, the present FIR was registered against the Petitioner.
3. The Petitioner has approached this Court for quashing the present FIR



on the ground that he has entered into a settlement with the legal heirs of the deceased, i.e., Respondents No.2 to 5 herein *vide* Memorandum of Settlement dated 01.05.2024. As per the settlement, the Petitioner has agreed to pay a sum of Rs.6,00,000/- to Respondents No.2 to 5.

4. The Petitioner has already paid a sum of Rs.6,00,000/- by way of demand draft to the legal heirs of the deceased, which was handed over to them during the course of the hearing before this Court. The Petitioner shall also take all steps and make all endeavours to assist the legal heirs of the deceased/victim in getting the provident fund dues.

5. The Petitioner and Respondents No.2 to 5 are present in Court today. The parties have been identified by the Investigating Officer. Respondents No.2 to 5 state that they have received the entire amount of settlement and has settled all the disputes with the Petitioner out of their own free will, without pressure, coercion or undue influence and states that they do not want to pursue the present case any further. They request that the present FIR and the proceedings emanating therefrom may be quashed. The parties undertake that they will remain bound by the terms of the settlement and the proceedings recorded before this Court.

6. In view of the settlement arrived at between the parties and in view of the fact that the entire amount has been paid to Respondents No.2 to 5, this Court is of the opinion 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 and no useful purpose will be served in continuing with the present proceedings. Resultantly, FIR No.504/2016 dated 18.06.2016 registered at Police Station Dabri for the offence punishable under Section 304A IPC and the proceedings emanating therefrom are hereby quashed.



The parties shall remain bound by the settlement and the undertaking given to the Court.

7. With these observations, the petition is disposed of along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

AUGUST 27, 2024
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