



\$~93

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

+ **CRL.M.C. 6678/2022 & CRL.M.A. 25991/2022**

CHHAYA RANA

.....Petitioner

Through: Mr. Ravin Rao (D-1103/2008), Mr. Akshit Sawal, Mr. Pallav Gupta, Mr. Ayan Sharma, Ms. Ayushi Yadav, Mr. Kunal Vason, Advocates.

versus

THE STATE (GOVT. OF NCT OF DELHI) AND ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State
Mr. Siddharth Chaturvedi
(D/277/2015) & Mr. Akshay Arora,
Advocates for R-2.
SI Sachin, PS Alipur, Delhi

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

26.07.2024

%

1. Petitioner has approached this Court seeking quashing of FIR No.237/2017, dated 22.06.2017, registered at Police Station Alipur, for offences under Sections 288/337 IPC.

2. The facts of the case reveals that Md. Razi - the brother of the Complainant/Respondent No.2 herein was working as a labourer at Khasra No. 12/27, Firni Road, Village Budhpur, Delhi. It is stated that on 10.06.2017 he fell from the roof of the said under-construction site and injured himself and was subsequently shifted to LNJP Hospital. On the complaint of the Respondent No.2 herein the present FIR was registered on 22.06.2017 under Sections 288/337 IPC. It is stated that Md. Razi passed



away on 22.06.2017 and subsequently, Section 304A IPC was added to the FIR. It is stated that the Contractor under whom Md. Razi was working passed away on 08.02.2019. Charge-sheet has been filed.

3. The Petitioner, who is the owner of the property over which the construction was going on, has approached this Court seeking quashing of the present FIR contending that there is no negligence on her part.

4. The Complainant/Respondent No.2 and the widow of Md. Razi are present in Court. The Petitioner is also present in Court. The Parties and the widow of Md. Razi have been identified by the Investigating Officer and the respective Counsels. On the suggestion of this Court, Petitioner has offered Rs.1,00,000/- to the widow of the deceased and the same has been accepted by the widow of the deceased. The widow of Md. Razi submits that she accepts the sum of Rs.1,00,000/- offered by the Petitioner herein as full and final compensation for the purpose of quashing the present FIR. Statement of the wife of Md. Razi has also been recorded and is a part of this Order.

5. In view of the fact that parties have entered into a settlement, this Court is inclined to quash FIR No. FIR No.237/2017, dated 22.06.2017, registered at Police Station Alipur, for offences under Sections 288/337/304A IPC and all the proceedings emanating therefrom. The parties shall remain bound by the mutual settlement and the undertaking given to the Court.

6. The Petition stands disposed of along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

JULY 26, 2024/Rahul