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

+ **CRL.M.C. 6708/2024 & CRL.M.A. 25605/2024**

DAVINDER WADHWA

.....Petitioner

Through: Mr. S.P Singh (D/306/85), Mr.
Harmeet Singh (D/2123/2013), Ms.
Jasveen Kaur, Advocates along with
Petitioner in person

versus

THE STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Yudhvir Singh Chauhan, APP for
the State.
Mr. Mukesh Birla and Mr. Rakesh
Gupta, Advocates for R-2 along with
Respondent No.2 in person.
SI Murari Lal (D-5461), PS IP Estate.

+ **CRL.M.C. 6719/2024 & CRL.M.A. 25640/2024**

DEEPAK KUMAR CHOUDHARY

.....Petitioner

Through: Mr. Harish Malik (D/4143/2010),
Advocate along with Petitioner in
person.

versus

THE STATE (N.C.T. OF DELHI) & ANR.

.....Respondents

Through: Mr. Yudhvir Singh Chauhan, APP for
the State.
Mr. Mukesh Birla and Mr. Rakesh
Gupta, Advocates for R-2 along with
Respondent No.2 in person..
SI Murari Lal (D-5461), PS IP Estate

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

28.08.2024

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1. The Petitioners have approached this Court for quashing FIR
No.190/2016 dated 10.04.2016, registered at Police Station I.P. Estate for



offences punishable under Sections 287/337 IPC on the ground that the parties have entered into a settlement.

2. The facts of the case reveal that while making a stage for a show in KD Jadhav Indoor Stadium, an accident took place on 10.04.2016 wherein one Girdhar Bisht lost his life. Thereafter, the present FIR was registered against the Petitioners initially under Sections 287/337 IPC, however, later it was converted into under Sections 287/304A IPC on account of death of deceased - Girdhar Bisht.

3. It is stated that a Civil Suit was filed by Respondent No.2, who is the wife of the deceased, for recovery of money and for mandatory injunction against the Petitioners and in the said suit, a compromise has been entered into between the parties before the Mediation Centre, Saket Court Complex, New Delhi wherein the Petitioners have agreed to a sum of Rs.6,25,000/- to the Respondent No.2 as compensation. It is stated that over and above, the said amount, a sum of Rs.7,58,240/- has also been awarded to the Respondent No.2 as compensation. It is stated that in addition to that amount, a sum of Rs.1,89,560/- has also been paid to the Respondent No.2 as penalty. The said amount of penalty is lying with the Commissioner, Employees Compensation. It is further stated that a sum of Rs.5,00,000/- is also being paid to the Respondent No.2 today.

4. Today, the parties are present in Court. The Petitioners have been identified by their Counsel and the Investigating Officer. The Respondent No.2 has been identified by her Counsel and the Investigating Officer. The Respondent No.2, who is wife of the deceased, states that she has received the Rs.6,25,000/- which was agreed between the parties before the Mediation Centre. She states that she has also received a sum of



Rs.7,58,240/- as compensation and a sum of Rs.1,89,560/- as penalty. She also states that she has now received the sum of Rs.5,00,000/- from the Petitioners. She states that she has settled the dispute with the Petitioners out of her own free will, without pressure, coercion or undue influence and states that she does not want to pursue the present case any further and requests that the present FIR and the proceedings emanating therefrom may be quashed. The parties undertake that they will remain bound by the settlement and proceedings recorded before this Court.

5. Considering the fact that the parties have amicably settled the dispute and in view of the fact that the chances of conviction are very remote and the present case is squarely covered under the law laid down by the Supreme Court in Gian Singh v. State of Punjab, (2012) 10 SCC 303, this Court is satisfied that no useful purpose would be served in continuing with the present proceedings. Resultantly, the FIR No.190/2016 dated 10.04.2016, registered at Police Station I.P. Estate for offences punishable under Sections 287/337 IPC which was later converted into under Sections 287/304A IPC and the proceedings emanating therefrom are hereby quashed.

6. The petitions stand disposed of in above terms, along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

AUGUST 28, 2024

S. Zakir