



\$~78

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 139/2024**
M/S EASA ELEVATORS PVT LTD Petitioner
Through: **Mr.Upinder Singh & Mr.Arjun**
Parashar, Advs.

versus
THE STATE OF NCT OF DELHI & ORS. Respondents
Through: **Mr.Ajay Vikram Singh, APP**
with SI Arvin Kumar, Fatehpur
Beri.
Respondent nos.2 and 3 present
in Court.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **08.01.2024**
CRL.M.A. 570/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 139/2024

2. This petition has been filed by the petitioner seeking quashing of the FIR No.0301/2022 registered with the Police Station: Fatehpur Beri, South Delhi, under Sections 288/304A of the Indian Penal Code, 1860 (in short, 'IPC') and the subsequent proceedings arising therefrom, on the basis of a Settlement.

3. The learned counsel for the petitioner submits that the petitioner has taken necessary steps to ensure that the accident, as had occurred in the present case, does not reoccur. He further submits that in terms of the One-Time Settlement Agreement dated 23.11.2023, the petitioner has paid a sum of Rs.2,00,000/- as a one-time settlement amount to respondent nos.2 and 3. He submits that other statutory



amounts that were due and payable to the deceased, have also been paid. He submits that over and above the said amount, the petitioner is ready and willing to pay another sum of Rs.2,00,000/- to the respondent nos.2 and 3 within a period of two weeks from today.

4. The respondent nos.2 and 3 are present in person, duly identified by the Investigating Officer (IO). They admit to the terms of the settlement. They submit that they do not wish to pursue the criminal case against the petitioner.

5. Issue notice.

6. Notice is accepted by Mr.Ajay Vikram Singh, learned APP on behalf of the State.

7. I have considered the submissions made. Keeping in view judgments of the Supreme Court in ***Parbatbhai Aahir v. State of Gujarat***, (2017) 9 SCC 641 and ***Gian Singh v. State of Punjab***, (2012) 10 SCC 303, and subject to the petitioner paying another sum of Rs.2,00,000/- to respondent nos.2 and 3, as *ad hoc* compensation, within a period of two weeks from today, FIR No.0301/2022 registered with the Police Station: Fatehpur Beri, South Delhi, under Sections 288/304A IPC and all the proceedings emanating therefrom are quashed. This shall, however, not prejudice the rights of respondent nos.2 and 3 to claim further compensation in accordance with law, if they are so entitled.

8. The petitioner shall file with the Registry of this Court, proof of the payment of the above agreed *ad hoc* compensation of Rs. 2,00,000/- to respondent nos.2 and 3, and also supply a copy thereof, to the concerned IO, within the above said period.



9. In view of the above, the present petition is disposed of.

JANUARY 8, 2024/rv/ss

NAVIN CHAWLA, J

Click here to check corrigendum, if any