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

+ **CRL.M.C. 7240/2024**

SANJEEV CHADHA AND ORS.

.....Petitioners

Through: Ms. Yamini Sharma (D/2168/2019),
Ms. Megha Vadera and Ms. Mamta,
Advocates with Petitioners-in-person
versus

STATE GOVT OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Yudhvir Singh Chauhan, APP for
the State.
Mr. Ghanender Singh (D/4686/2016),
Advocate for R-2 with Respondent
No.2 in person
SI Krishan Kumar, PS Mundka

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **12.09.2024**

1. The Petitioners have approached this Court for quashing FIR No. 603/2024 dated 04.09.2024 registered at Police Station Mundka for offences under Section 289 & 125 of the Bharatiya Nyaya Sanhita (BNS), 2023.
2. It is stated that Respondent No.2/Nekpal Singh is working as a machine operator in the factory belonging to the Petitioners since 1998. It is stated that on 03.09.2024 at about 5:20 PM while working on the lathe machine, Respondent No.2 suffered an accident because of which his right hand ring finger got caught in the lathe machine and he sustained injuries. It is stated that Respondent No.2 was taken to ESI Hospital, Rohini by his co-worker where he got his treatment.



3. The Petitioners have approached this Court for quashing of the present FIR primarily on the ground that the parties have entered into a Memorandum of Understanding dated 06.09.2024.
4. Respondent No.2 is present in Court today. He states that his finger has not been amputated and he has undergone a surgery. He states that the entire expense for the treatment has been borne by his employers, i.e., the Petitioners herein and apart from getting the medical expenses, a sum of Rs.25,000/- has been given to him as compensation. He states that he continues to work in the factory.
5. The Petitioners are present in Court today. They state that Respondent No.2 is working in the factory and his salaries are not being deducted on the ground that he is absenting himself from the work because of the accident and no deductions will be made because of his absentism from the work due to his medical condition.
6. The Petitioners and Respondent No.2 have been identified by their respective Counsels and the Investigating Officer. Respondent No.2 states that he does not have any objection if the present FIR against the Petitioners is quashed.
7. In view of the fact that the parties have entered into a settlement and in view of the fact that services of Respondent No.2 are not being terminated and he is not going to lose monetarily because of the fact he is unable to do the work, considering the law laid down by the Supreme Court in Gian Singh vs. State of Punjab, (2012) 10 SCC 303, this Court is of the opinion that no useful purpose would be served in continuing with the present proceedings. Resultantly, the FIR No. 603/2024 dated 04.09.2024 registered at Police Station Mundka for offences under Section 289 & 125 of the



Bharatiya Nyaya Sanhita (BNS), 2023 and the proceedings emanating therefrom are hereby quashed. The parties shall remain bound by the terms of the settlement and the undertaking given to the Court.

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

SUBRAMONIUM PRASAD, J

SEPTEMBER 12, 2024

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