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

+ **CRL.M.C. 7572/2024**

AAKIB SAIFI

.....Petitioner

Through: Mr. Naved (D/8761/2021), Advocate
along with Petitioner in person.

versus

STATE (GOVT. OF N.C.T.) & ORS.

.....Respondents

Through: Mr. Yudhvir Singh Chauhan, APP for
the State.
SI Chetan Rana, PS Vasant Kunj
South, D-6493.
Respondent Nos.2 and 3 in person.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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24.09.2024

1. The present petition under Section 528 of B.N.S.S., 2023 has been filed for quashing FIR No.14/2024 dated 08.01.2024, registered at Police Station Vasant Kunj for offences punishable under Sections 288/337 IPC on the ground that the parties have entered into a settlement.
2. It is alleged in the FIR that the Respondent No.2/victim got injured at the work site due to lack of safety gear and, therefore, on the complaint of Respondent No.3/Complainant (Co-worker), the present FIR was registered against the Petitioner who is the contractor.
3. It is stated that the Respondent No.2/victim and the Petitioner have settled the dispute amicably *vide* a Memorandum of Understanding (MoU) dated 22.08.2024 which has been annexed in the present petition as



Annexure-P-2.

4. Today, the Parties are present in Court. The Petitioner, who is the contractor, has been identified by his Counsel and the Investigating Officer. The Respondent No.3/Complainant and Respondent No.2/victim have been identified by the Investigating Officer. It is stated that the Respondent No.2/victim has been paid the entire wages during the time when he was in the hospital and over and above, as per the settlement, a sum of Rs.50,000/- has also been paid to Respondent No.2/victim by the Petitioner. It is stated that the medical expenses of the Respondent No.2/victim has been borne by the Petitioner. It is stated that the Respondent No.2/victim is still working with the Petitioner.

5. The Respondent No.2/victim states that he has settled all his disputes with the Petitioner out of his own free will, without pressure, coercion or undue influence and states that he 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 the proceedings recorded before this Court.

6. In view of the fact that the settlement has been arrived at between the Parties and the present case is squarely covered under the law laid down by the Apex Court in Gian Singh v. 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.14/2024 dated 08.01.2024, registered at Police Station Vasant Kunj for offences punishable under Sections 288/337 IPC and the proceedings emanating therefrom are hereby quashed.

7. With the above directions, the petition is disposed of, along with



pending application(s), if any.

SUBRAMONIUM PRASAD, J

SEPTEMBER 24, 2024

S. Zakir