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

+ **CRL.M.C. 7595/2024 & CRL.M.A. 28997/2024**

CHANDER BHAN

.....Petitioner

Through: Mr. Vjay Chandra, Mr. Tushant,
Advts.

versus

STATE NCT OF DELHI AND ANR.

.....Respondent

Through: Mr. Sunil Kumar Gautam, APP
SI Punit Kumar, PS-SB Dairy

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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20.11.2024

1. This is a petition filed under Section 528 of BNSS, 2023 seeking quashing of F.I.R. No. 389 of 2023 under Section 288/304A of IPC dated 25.03.2023 registered at PS Shahbad Dairy.
2. The allegation in the FIR is that the deceased namely Chandresh, S/o Jagveer fell from a height around 10 to 11 feet while working as a labour at DTU Campus Shahbad, Village-Bawana Road, Delhi and was declared dead. Hence, the FIR.
3. During the pendency of the proceedings, the parties have arrived at a settlement wherein the respondent No. 2/ wife of the deceased on behalf of herself and three minor children, agreed for a sum of Rs. 8 lakhs to settle the disputes.
4. I am informed that Rs. 50,000/- has been paid and Rs.7,50,000/- is paid today *vide* Demand Draft No. 847098 dated 11.09.2024 drawn on Punjab National Bank, Sector 11, Rohini, Delhi- 110085.
5. The petitioner also undertakes to pay another sum of Rs. 1,50,000/-



within 4 weeks from today to the respondent No. 2.

6. In the FIR, there is no allegation of the negligence at the hands of the petitioner but since he was a contractor, he has agreed to make the said payment.

7. I am convinced that quashing of such proceedings on account of compromise would bring about peace and would secure ends of justice. It is to be noted that no amount of money can substitute the loss of life. However, money can serve as a bridge to overcome the difficulties of life. It can lessen the burden of the victim and his family. This should not be treated as a legal precedent as in this case, the proceedings are quashed as the respondent No. 2 has decided to put a quietus to the matter. The Court does not see any fruitful purpose if criminal proceedings are permitted to be prosecuted any further. It is a fit case for quashing. In this view of the matter, there is no reason to continue the proceedings.

8. For the above stated reasons, the aforesaid FIR and the proceedings arising therefrom are hereby quashed, subject to the petitioner paying an additional sum of Rs. 1,50,000/- to the respondent No. 2 within a period of 4 weeks from today.

8. The proof of payment of Rs. 1,50,000/- shall be filed by the petitioner within 5 weeks from today, failing which the Registry shall be put up the file before the Court.

9. The petition is disposed of in aforesaid terms.

JASMEET SINGH, J

NOVEMBER 20, 2024/sp

Click here to check corrigendum, if any