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

+ **CRL.M.C. 8274/2024 CRL.M.A. 31625/2024**

SUKHCHAIN SINGH

.....Petitioner

Through: Ms. Sanskriti Shakuntala Gupta, Adv.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Hitesh Vali, APP for State.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

21.10.2024

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1. This petition has been filed seeking quashing of FIR No. 282/2024 at PS Dwarka North, under Sections 288/304(a) IPC basis a settlement arrived at between the parties which is on record of this Court.

2. As per the settlement, an amount of Rs.3,00,000/- has been paid to respondent No.2. Petitioner and respondent No.2 both are present in the Court and are duly identified by the IO.

3. It is stated by the counsel for petitioner that the petitioner was not even in the town on the date when the deceased was fixing the water tank and fell from the 8th floor to the 6th floor of the apartment. Even the wife and children of the petitioner were not at home at that time. The petitioner had sought his services and he was supposed to come on a different date but did not come. On the day of incident, the deceased, on his own climbed up from the outside access, when the petitioner was not there, seeking to repair the tank when this



mishap occurred.

4. This fact is confirmed by the APP for State, on instructions of the IO, as well.
5. Keeping in view the peculiar facts and circumstances, the FIR shall stand quashed, considering the above settlement between the parties and the chances of conviction of the petitioners being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer.
6. Accordingly, the petition is allowed. Consequently, the FIR No. 282/2024 under Sections 288/304(a) IPC registered at PS Dwarka North and proceedings emanating therefrom are quashed.
7. Parties shall abide by the terms of settlement.
8. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.
9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

OCTOBER 21, 2024/RK