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

+ **CRL.M.C. 8551/2024 CRL.M.A. 32613/2024**

SUNIL LAKRA

.....Petitioner

Through: Mr. Shashi Pratap Singh, Mr. Sparsh
Agarwal, Ms. Urvashi and Ms.
Muskan Garg, Advs.

versus

STATE (NCT OF DELHI) & ANR.

.....Respondent

Through: Mr. Hitesh Vali, APP for the State
with SI Krishan, PS Mundka.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

28.10.2024

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1. This petition has been filed seeking quashing of FIR No.926/2021 P.S. Mundka under Sections 337/288/338 IPC basis settlement arrived at with the respondent No.2/complainant.
2. It is stated that the FIR was lodged basis of a mishap which occurred at construction plot Nos.100, 101 and 231 located at Mundka Village, Delhi-110041. The construction was being done by a contractor Mr. Rajpal, who had engaged the respondent No.2 for shuttering.
3. On 30th August, 2021, the respondent No.2 was engaged in the said work and slipped and fell. Subsequently, he was admitted to the hospital and diagnosed with injury on the neck which necessitated a surgical operation.
4. Counsel for the petitioner states that all medical expenses, amounting to more than Rs.40,000/-, were borne by the petitioner and an additional



amount of Rs.20,000/- was paid to respondent No.2.

5. Respondent No.2 is present in the Court and states that he is fine and has no serious health problems.

6. Although, since he is a person from lower-economic background, he is unable to state his case, but his affidavit is already appended along with the petition.

7. In view of the same, the petitioner has agreed to pay him another amount of Rs.50,000/- within a period of two weeks.

8. Affidavit of compliance shall be filed within two weeks thereafter.

9. APP for the State states that as per the charge sheet, it is noted that no safety measures were applied at the said property.

10. Counsel for the petitioner, however, states that respondent No.2 is still engaged with the same contractor and they undertake that all the safety measures will be employed at the construction site in order that certain mishaps may not occur in the future.

11. Petitioner is present in the Court and duly identified by IO.

12. 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. Accordingly, the petition is allowed. Consequently, the FIR No.926/2021 P.S. Mundka under Sections 337/288/338 IPC and proceedings emanating therefrom are quashed.

13. Parties shall abide by the terms of settlement.

14. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.



15. Order be uploaded on the website of this Court.

ANISH DAYAL, J

OCTOBER 28, 2024/MK