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

+ **CRL.M.C. 9347/2024**

SAJID

.....Petitioner

Through: Mr.Kunal Narang, Adv. with
petitioner in person.

versus

THE STATE (GOVT OF NCT OF DELHI) & ORS.

.....Respondents

Through: Mr.Hemant Mehla, APP for the State.
SI Ajay, PS Jama Masjid
Mr.V.K.Jha, adv. with respondents in
person.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

29.11.2024

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CRL.M.A. 35840/2024 (exemption)

Exemptions allowed subject to just all exceptions.

The application stands disposed of.

CRL.M.C. 9347/2024

1. Present Petition has been filed seeking quashing of FIR no.0132 dated 13.07.2019 registered under Section 285/304 a IPC at PS Jama Masjid.
2. The FIR was lodged on the statement of the father of the deceased alleging therein that the Mohd.Asif who was 25 years was employed with Liyakat and died due to electric shock.
3. Issue notice. Learned APP has accepted the notice. Respondents are



also present in person. IO states that after investigation the charge sheet for the offence under Section 285/304 a IPC was filed against the present petitioner. Learned counsel for the respondents appearing submits that the respondents are the only legal heirs of the deceased. The parties state that they have settled the matter voluntarily vide settlement deed dated 22.04.2024 on the following terms and conditions:

1. That it has been agreed between both the parties that the first party shall pay the full and final amount of Rs.4,50,000/- (Rupees Four Lakhs Fifty Thousand only) to the second parties in following manner: -

i. Rs.1,75,000/- (One Lakh Seventy-Five Thousand only) through I.M.P.S. i.e. Rs.1,00,000/- paid today i.e. 24.4.2024 and Rs.75,000/- dated 26.4.2024, to Munni Khatoon and Rs.25,000/- Thousand only) via Cash Payment at the time of execution of the Settlement Deed.

ii. Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand only) to the second parties at the time of quashing of the FIR No.132/2019 dated 13-07-2019, U/s 285/304-A I.P.C. registered under the jurisdiction of Police Station Jama Masjid. Similarly, the second parties will withdraw their claim Petition U/s 10 of the Workman Compensation Act before the Hon'ble Workman Compensation commissioner, New Delhi after getting the remaining amount of Rs.2,50,000/-.

2. That the present settlement deed has been executed between both the parties out of their free will consent and without any undue pressure, influence. coercion etc.

3. That the second parties have decided to withdraw all the litigations pending between them and undertakes to live peacefully in future.

4. That both the parties undertake to abide by the present settlement deed and will not take any action against each other as they are ready to withdraw all the litigants pending between them.

5. That the second party shall appear before the Hon'ble High



Court of Delhi or Hon'ble respective court at the time of hearing of quashing petition which shall be filed in respect of quashing of F.I.R. No. 132/2019 dated 13-07-2019, U/s 285/304-A I.P.C. registered under the jurisdiction of Police Station Jama Masjid. Similarly, and the second party shall give statement in the Hon'ble High Court or Hon'ble respective court for the purpose mentioned above.

4. In terms of the settlement, remaining amount of Rs.2 lakhs has been paid today vide D.D.No.684063 dated 27.11.2024 in the name of Munni Khatoon drawn on RBL Bank and Rs.50,000/- has already been paid. Respondents submit that they are settling the matter voluntarily without any fear, force or coercion. IO has identified the complainant.
5. In view of the settlement, the FIR no.0132 dated 13.07.2019 registered under Section 285/304 a IPC at PS Jama Masjid and all the other proceedings emanating therefrom are quashed.

DINESH KUMAR SHARMA, J

NOVEMBER 29, 2024

Rb/ht