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

+ **CRL.M.C. 9793/2024**

TARUN GARG

.....Petitioner

Through: **Mr. Ajeet Shukla, Adv.**

versus

THE STATE NCT OF DELHI & ORS.Respondents

Through: **Ms. Priyanka Dalal, APP with SI
Prem Prakash Singh, PS Okhla
Industrial Area
Mr. Anil Kumar Singh, Adv.**

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **16.12.2024**

1. This is a petition seeking quashing of FIR No. 0569/2023 under Sections 288/337/304A of IPC registered at PS Okhla Industrial Area, New Delhi.
2. As per the FIR, the petitioner was carrying out construction in the basement of the shop A-99/1 Okhla Phase-2, Near Sanjay Colony, wherein the adjoining wall collapsed. As a result, two labourers namely Mr. Mantu Sarkar and Mr. Raman passed away and Mr. Nitish Kumar, Mr. Gulshan, Mr. Jaldhar, Mr. Arun Kumar, Mr. Devendra Kumar, Mr. Nirmal received injuries.
3. It is stated that it was an accident and there is no allegation of negligence in the incident.
4. The petitioner is present in court and is identified by Mr. Ajeet



Shukla, Adv. Respondents are also present and are identified by SI Prem Prakash, PS Okhla Industrial Area.

5. During the pendency of the proceedings, parties have arrived at a settlement dated 24.06.2024 between the petitioner and the LRs of late Mr. Mantu Sarkar. The second settlement is also dated 24.06.2024 between the petitioner and Ms. Sunita Devi and Mr. Binod Shah i.e. parents of deceased Mr. Raman. The third settlement is dated 26.06.2024 between the petitioner and Nitish Kumar and lastly, oral agreement was arrived between the petitioner and other remaining injured persons.

6. It is stated that Rs. 11.54 lakhs has been paid to the LRs of Mr. Mantu Sarkar, Rs. 17.03 lakhs has been paid to the parents of Mr. Raman and Rs. 2 lakhs has been paid to Mr. Nitish. Respondent Nos. 6 to 10 are being paid in court today.

7. Ms. Rukmani Devi, respondent No. 2 states that she has received a sum of Rs. 10 lakhs and respondent Nos. 3 and 4 state that they have received a sum of Rs. 13 lakhs.

8. The petitioner states that he shall pay a sum of Rs. 7 lakhs to respondent No. 2 and the balance amount of Rs. 4.03 lakhs to respondent Nos. 3 and 4 within 4 weeks from today. The petitioner further states that additional Rs. 1 lakh to respondent No. 5 and Rs. 1 lakh each to respondent Nos. 6 to 10 shall be paid within 4 weeks from today.

9. Parties state that they have arrived at the settlement out of their own free will without any threat, pressure, coercion or undue influence.

10. There is no allegation of negligence on the part of the petitioner in the FIR and the death presumably is on account of an accident.

11. 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 due to the loss of a family member. It can lessen the burden of the family members left behind. This should not be treated as a legal precedent and in this case the proceedings are quashed as the respondent 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.

12. Subject to the payment as noted above, the FIR No. 0569/2023 under Sections 288/337/304A of IPC registered at PS Okhla Industrial Area, New Delhi and consequential proceedings, if any, arising therefrom are hereby quashed.

13. The proof of the payment shall be placed within 6 weeks from today, failing which the file shall be put up before the Court by the Registry.

14. The petition is disposed of.

JASMEET SINGH, J

DECEMBER 16, 2024/DM

[Click here to check corrigendum, if any](#)