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

+ **CRL.M.C. 685/2024**

**SUNIL CHAUHAN**

.....Petitioner

Through: Mr. Vikas Chhabra, Mr. Pranjal Marwah, Mr. K. Mittal, Ms. Latika Goel, Advocates with petitioner in person.

versus

**STATE GOVT. OF NCT OF DELHI & ANR.** .....Respondents

Through: Mr. Aman Usman, APP for the State with SI Sunder Singh, PS Nangloi, Delhi

**CORAM:**

**HON'BLE MR. JUSTICE VIKAS MAHAJAN**

**ORDER**

**31.01.2025**

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1. The present petition has been filed under Section 482 Cr. P.C., 1973 seeking quashing of FIR No. 362/2022 under Section 287/304A IPC registered at Police Station Nangloi (Outer District), Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Notice was already issued *vide* order dated 29.01.2024.
3. The petitioner as well as respondent nos. 2 & 3 are present in Court and they have been identified by the IO/SI Sunder Singh, Police Station Nangloi, Delhi.
4. The case of the prosecution is that Mahbub Ansari, a contract worker who was sleeping on the top floor of the premise wherefrom



the petitioner is running his factory, fell in the lift well and died. The respondent nos. 2 and 3 are parents of the deceased.

5. During pendency of the proceedings, the parties had arrived at a settlement, terms whereof were reduced in writing in the form of Settlement Agreement dated 11.05.2022, which is annexed as Annexure-P3 to the present petition.

6. As per the settlement, it was agreed between the parties that the petitioner will pay a full and final amount of Rs. 2.35 lakhs to respondent nos. 2 and 3.

7. Learned counsel appearing for the petitioner submits that the petitioner has further paid an amount of Rs. 15,000/- to make the total settlement amount as Rs. 2.50 lakhs. However, this Court was of the view that the amount of compensation agreed by the petitioner was on the lesser side. On the intervention of the Court, the petitioner agreed to pay a further amount of Rs. 2.50 lakhs to the respondent nos. 2 and 3.

8. After the matter was passed over, the petitioner is stated to have transferred a further amount of Rs. 2.50 lakhs to the account of respondent no. 2 through IMPS.

9. The respondent no. 2 who is present in Court, on a query posed by the Court, acknowledges the receipt of further amount of Rs. 2.50 lakhs (total Rs.5 lakhs) and states that he has no objection in case the aforesaid FIR is quashed.

10. At this stage, apt would it be to refer to the observations of the Supreme Court in *Gian Singh v. State of Punjab*, (2012) 10 SCC 303: (SCC p. 340, para 58)



*“58. Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor.”*

11. In view of the settlement between the parties, the ultimate chances of conviction in the case are bleak, therefore, continuation of criminal proceedings will not serve any useful purpose and it will be an exercise in futility.

12. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

13. Consequently, the petition is allowed and the FIR No. 362/2022 under Section 287/304A IPC registered at Police Station Nangloi (Outer District), Delhi alongwith all other proceedings emanating therefrom, is quashed.

14. The petition stands disposed of in the above terms.

**VIKAS MAHAJAN, J**

**JANUARY 31, 2025**

**‘rs’**