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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 1151/2025, CRL.M.A. 11032/2025 & CRL.M.A.
11033/2025
PARVESH @ SANJUPetitioner

Through: *Appearance not given*
Petitioner in person

versus

STATE GOVT. OF NCT OF DELHI AND ORS.Respondents
Through: Mr. Sanjay Lao, Standing Counsel for
the State along with SI Deepak
Lathwal, PS NIA
Mr. Palvinder Singh, Mr. S.W
Nomani, Advocates for R-2 to 8

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
26.09.2025

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1. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (corresponding to Section 482 of the Code of Criminal Procedure, 1973²) seeks quashing of FIR No. 799/2022 dated 14th October, 2022, registered under Sections 287/304A³ of the Indian Penal Code, 1860⁴ at P.S. Narela Industrial Area and all consequential proceedings emanating therefrom.

2. The case of the prosecution is that the deceased, Rajan, employed at

¹ "BNSS"

² "CrPC"

³ "impugned FIR"

⁴ "IPC"



Factory No. 609 in the Narela Industrial Area, Delhi, was directed by the Petitioner (factory owner) to carry out work on the factory roof. While performing this task, Rajan fell from the roof and sustained severe injuries. He was declared brought dead upon arrival at the hospital. The inspection and subsequent inquiry revealed that the Petitioner had failed to ensure requisite safety measures and had negligently assigned hazardous work without adequate supervision or precaution, leading to the fatal incident. On these allegations, the FIR was registered under Sections 287 and 304A IPC. Upon completion of investigation, a chargesheet was filed for the said offences.

3. The Petitioner and the dependents of the deceased, namely the wife, the three minor children and the parents, have amicably resolved their disputes and differences whereby the dependents have decided not to pursue the impugned FIR against the Petitioner. Pursuant to this settlement, a Memorandum of Understanding⁵ dated 19th December, 2024 was executed between the Petitioner and the dependents.

4. A copy of the MoU has been placed on record and perused by the Court. As per its terms, the dependents have mutually resolved all disputes and differences with the Petitioner and have agreed to voluntarily give their no objection to the quashing of the impugned FIR. In furtherance of the settlement, the Petitioner has agreed to pay a total sum of INR 17,00,000/- to the dependents as final settlement amount.

5. By order dated 2nd September, 2025 this Court had directed the State to file a status report and verify the compensation amount that would be payable as per the provisions of Employees Compensation Act, 1923. In



compliance, the State has filed the copy of the order dated 31st July, 2024 passed by the Commissioner under the Employees Compensation Act, 1923 wherein, based on the deceased's age and other relevant parameters, the statutory compensation was computed at INR 15,44,625/-. It is pertinent to note that the Petitioner has voluntarily agreed to pay a higher amount of INR 17,00,000/- to the family of the deceased, which adequately compensates them beyond the statutory entitlement.

6. The deceased's wife, the three minor children and parents, who have appeared before this Court and duly identified by the IO, give their no objection to the quashing of the impugned FIR. They state that their decision is voluntarily and without any pressure or coercion from anyone. Further, they confirm the receipt of the INR 8,00,000/- from the Petitioner out of the total settlement amount out of which INR 2,00,000/- was paid to the deceased's father, INR 2,00,000/- was paid to his mother and the balance INR 4,00,000/- was paid to the wife on behalf of the three minor children. Further, as per terms of the settlement, the wife has confirmed the receipt of the balance payment of INR 9,00,000/- via demand draft bearing DD No. 050758 dated 29th August, 2025. The Petitioner has also joined the proceedings in person and is duly identified by the Investigating Officer. In light of the amicable resolution between the parties, the Petitioner seeks quashing of the subject FIR and all proceedings arising therefrom.

7. The Court has considered the submissions of the parties. It is noted that the offences under Sections 287/304A of IPC are non-compoundable. However, it is well settled that in the exercise of its inherent powers under Section 482 CrPC (now Section 528 BNSS), the Court may, in appropriate

⁵ "MoU"



cases, quash proceedings in respect of non-compoundable offences if the parties have reached a genuine settlement and no overarching public interest is adversely affected.

8. The facts of the present case do not disclose an element of deliberate or wilful misconduct on the part of the Petitioner. The unfortunate death of the workman appears to have arisen out of a lapse in workplace safety rather than any intentional or reckless act. The purpose of criminal law is not to visit penal consequences for every accident, particularly where the accused has taken responsibility and compensated the victim's family adequately. The settlement in the present case reflects not merely a monetary arrangement but a genuine effort at closure, ensuring financial stability for the dependants of the deceased. In these circumstances, where the settlement is *bona fide*, the conduct in question is not intentional, and no larger public interest is implicated, the matter warrants consideration under the Court's inherent jurisdiction.

9. The Supreme Court in ***Gian Singh v. State of Punjab & Anr.***⁶ has held as follows:

“11. As discussed above, offence punishable under Section 186/332/353 of the IPC are non-compoundable being of serious nature, however, if the Court feels that continuation of criminal proceedings will be an exercise in futility and justice in this case demands that the dispute between the parties is put to an end and peace is restored, it can order for quashing of the FIR or criminal proceedings as it is the duty of the Court to prevent continuation of unnecessary judicial process.

12. In view of the law discussed above, considering the Settlement arrived at between the parties and the statements of respondent no.1 & 2, I am of the considered opinion that this matter deserves to be given a quietus as continuance of proceedings arising out of the FIR in question would be an an exercise in futility.”

[Emphasis added]



10. Further, in *Narinder Singh & Ors. v. State of Punjab & Anr.*,⁷ the Supreme Court held as follows:

“29. In view of the aforesaid discussion, we sum up and lay down the following principles by which the High Court would be guided in giving adequate treatment to the settlement between the parties and exercising its power under Section 482 of the Code while accepting the settlement and quashing the proceedings or refusing to accept the settlement with direction to continue with the criminal proceedings:

29.1. Power conferred under Section 482 of the Code is to be distinguished from the power which lies in the Court to compound the offences under Section 320 of the Code. **No doubt, under Section 482 of the Code, the High Court has inherent power to quash the criminal proceedings even in those cases which are not compoundable, where the parties have settled the matter between themselves.** However, this power is to be exercised sparingly and with caution.

29.2. **When the parties have reached the settlement and on that basis petition for quashing the criminal proceedings is filed, the guiding factor in such cases would be to secure:**

(i) ends of justice, or

(ii) to prevent abuse of the process of any court.

While exercising the power the High Court is to form an opinion on either of the aforesaid two objectives.

29.3. Such a power is not to be exercised in those prosecutions which involve heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society. Similarly, for the offences alleged to have been committed under special statute like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity are not to be quashed merely on the basis of compromise between the victim and the offender.

29.4. On the other hand, those criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes should be quashed when the parties have resolved their entire disputes among themselves.

29.5. While exercising its powers, the High Court is to examine as to whether the possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to

⁶ (2012) 10 SCC 303

⁷ (2014) 6 SCC 466



him by not quashing the criminal cases.”

[Emphasis Supplied]

11. While conscious that offences under Sections 287 and 304A IPC cannot be regarded as purely *in personam* and that they implicate considerations of public safety, the Court must also weigh the realistic prospects of securing a conviction in the present facts. The Supreme Court has repeatedly held that where the complainant/ aggrieved parties has voluntarily and genuinely settled the dispute, and the likelihood of conviction is remote, continuation of prosecution may serve no useful purpose and would merely burden the criminal justice system without advancing any public interest.

12. In the present case, the dependants of the deceased have unequivocally affirmed that the settlement is voluntary and without coercion, and have been adequately compensated in accordance with law. The arrangement ensures both closure and continuing financial support for the deceased's family. In this background, the continuance of criminal proceedings would amount to an empty formality. Exercising its inherent powers under Section 482 CrPC (now Section 528 BNSS), the Court finds it appropriate to bring quietus to the dispute in order to secure the ends of justice.

13. Accordingly, the petition is allowed. FIR No. 799/2022 and all consequential proceedings arising therefrom are hereby quashed.

14. The parties shall remain bound by the terms of the settlement, and the undertaking furnished by the Petitioner shall be enforceable in accordance with law.

15. Accordingly, the petition is disposed of along with pending



application(s).

SANJEEV NARULA, J

SEPTEMBER 26, 2025/ab