



2025:DHC:7734



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

% *Date of decision: 5<sup>th</sup> August, 2025*

+ CRL.M.C. 2534/2025

RAM NARAYAN

.....Petitioner

Through: Mr. Vishal Dabas, Mr. Sahil Dabas,  
Mr. Vishesh Goel, Ms. Mansi  
Advocates.

versus

STATE NCT OF DELHI AND ORS.

.....Respondents

Through: Mr.Digam Singh Dagar, APP with  
ASI Pramod

**CORAM:**

**HON'BLE MR. JUSTICE ARUN MONGA**

**ARUN MONGA, J. (Oral)**

1. The petitioner, an 80-year-old senior citizen in the twilight years of his life, approaches this Court seeking quashing of the pending criminal proceedings against him. He asserts that the case arises not out of any criminal intent or culpability but from an unfortunate workplace accident, and that continuation of the proceedings would only result in undue harassment and miscarriage of justice. An FIR No. 112/2025 dated 08.02.2025 was registered at Police Station, Moti Nagar, Delhi.
2. Allegedly, per prosecution, petitioner committed offences under section 289 [negligent conduct with respect to machinery], 106(1) [causing



death by negligence] of Bhartiya Nyaya Sanhita, 2023 (BNS).

3. It is stated in the petition that deceased victim who was a worker in the factory run by the petitioner died of an unfortunate accident while working on the machinery in which her saree got entangled and thus led to her demise. Otherwise it is stated that the deceased was more than her own daughter in as much as after her death he has discharged the duties to both the daughters of the deceased. The brother of both the daughters of the deceased is present in the Court and on a query candidly submits that the accused has undertaken the entire expense for marriage of his sisters. On the other hand, accused submits that, infact, he himself is more of a worker in the very unit and can barely earn his two square meals and have to borrow the money from his family to compensate the legal heirs of the deceased.

4. In view of the aforesaid, I have heard the rival contentions and perused the case file.

5. Learned APP submits though he does not dispute the settlement. However, he submits that even as per the Workmen Compensation Act, minimum payable compensation to the deceased should be around at least Rs. 12 lakhs and only a meagre sum of Rs. 5.5 lakh is stated to have been paid.

6. Furthermore, on a query put to the legal heirs of the deceased, it transpires that the petitioner has paid Rs. 5.5 lakhs in addition to what he had already spent on the marriage of the daughter of the deceased. They would also submit on their own that the petitioner has in fact adopted their whole family, treating it as his own, after the unfortunate accidental death and has been with them through thick and thin, and even helping them



financially from time to time, including marrying the daughter of the deceased by treating her as his own. He is more of a father figure in the family of the deceased rather than employer, they would submit.

7. Looking into the totality of the circumstances, I am of the view that it was open to the family of the deceased to pursue their remedy under Workmen Compensation Act which on their own volition they have chosen not to do. Given the congeniality and *bon homie*, which they enjoy *inter se* each other and live more as a family unit rather than a relation of an employer or employee it is understandable why they have not initiated any other adversarial proceedings.

8. Even otherwise, *prima facie* it appears to be a case of an accidental death and not owing to any culpable criminality on the part of the petitioner. Thus, further criminal proceedings would be an exercise in futility and a burden on the judicial system as no fruitful outcome is likely to come forth.

9. Moreover, continuation of the criminal proceedings would amount to a sheer misuse of the criminal process. The settlement arrived at between the parties is voluntary, genuine, and based on long-standing mutual respect and familial bonds rather than mere financial considerations. The legal heirs of the deceased themselves unequivocally support the petitioner, acknowledging his role as a guardian and benefactor in their lives.

10. In such circumstances, to compel the petitioner—an aged person with limited means—to undergo the rigours of a criminal trial would serve no meaningful purpose and would instead burden both him and the judicial system, especially when the chances of conviction are bleak and the parties have reconciled. Reference may be made to the judgment of the Hon'ble



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Supreme Court in *Gian Singh v. State of Punjab & Anr.*, (2012) 10 SCC 303.

11. Accordingly, instant case squarely merits exercise of powers under Section 582 of the BNSS to quash the FIR and consequent proceedings.

12. The instant petition is thus allowed. The criminal proceedings arising out of FIR No. 112/2025 dated 08.02.2025 registered under sections 289 and 106(1) of the BNS registered at Police Station Moti Nagar against the petitioners and further proceedings arising therefrom are hereby quashed.

13. The petition stands disposed of.

**ARUN MONGA, J**

**AUGUST 5, 2025**  
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