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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3915/2024**

MR. MAHINDER

.....Petitioner

Through: Ms. Joohi and Mr. Nityanand Singh,
Advts. along with petitioner.

versus

STATE GOVT. OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Utkarsh, APP for State with S.I.
Sandeep Singh, P.S. Ranjit Nagar,
Delhi.
Ms. Yashika, Adv. for R-2 along with
R-2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

30.01.2025

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1. The present petition has been filed under Section 482 CrPC seeking quashing of FIR No.0813/2023 under Sections 304A IPC registered at Police Station Ranjit Nagar, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. The petitioner no.1, as well as, respondent no. 2 (wife of deceased) are present in the Court and they have been identified by their respective counsel, as well as, by the Investigating Officer i.e. S.I. Sandeep Singh, P.S. Ranjit Nagar, Delhi.
3. The case of the prosecution is that the husband of the respondent no.2 was working in the shop of the petitioner where some repair work was going on and he got electrocuted, which resulted in his death.
4. During the pendency of proceedings, parties arrived at a settlement,



terms whereof were reduced in writing in the form of Memorandum of Understanding (MOU) dated 12.10.2023, copy of which is annexed as Annexure A-3 to the present petition

5. In terms of the settlement, it has been agreed by the petitioner to compensate the respondent no.2 by paying full and final settlement amount of Rs.6,00,000/-. However, considering that the amount of compensation is inadequate, this court referred the parties to mediation.

6. Before mediation, the parties arrived at a settlement, terms whereof have been reduced in writing in the form of Settlement Agreement dated 17.01.2025, a copy of which has been received from the Delhi High Court Mediation and Conciliation Centre [hereinafter referred to as 'Centre'].

7. A perusal of the said settlement agreement shows that it has now been agreed between the petitioner and the respondent no.2 that the petitioner shall pay full and final settlement amount of Rs.12,00,000/- to the respondent no.2 towards all her claims. The initial sum of Rs.6,00,000/- is stated to have been paid by the petitioner to the respondent no.2, receipt of which is acknowledged by the respondent no.2.

8. Insofar as the balance amount of Rs.6,00,000/- is concerned, the same has been deposited by the petitioner in the Mediation Centre, by way of two bankers cheques of Rs.3,00,000/- each bearing nos.204379 and 204380, both dated 13.01.2025.

9. On a query posed by this Court, the respondent no.2, who is present in court, states that she is satisfied with the compensation amount of Rs.12,00,000/- and that she has no objection in case the 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 FIR No.0813/2023 under Sections 304A IPC registered at Police Station Ranjit Nagar, Delhi along with all other consequential proceedings emanating therefrom, is quashed.

14. The Organising Secretary, Delhi High Court Mediation and Conciliation Centre is directed to release the aforesaid two bankers' cheques of Rs.3,00,000/- each, deposited by the petitioner, to the respondent no.2 forthwith.

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

16. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

JANUARY 30, 2025/aj