



\$~38

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CRL.M.C. 4254/2025**  
**NISHKARSH SAXENA**

.....Petitioner  
Through: Mr. S.N. Parashar, Mr. Ritik Singh,  
Advocates.

versus

**THE STATE NCT OF DELHI AND ORS**

.....Respondent  
Through: Mr. Utkarsh, APP for the State SI  
Mitthan Lal P.S. Sarita Vihar.

**CORAM:**  
**HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA**

**ORDER**

% **03.07.2025**

**CRL.M.A. 18560/2025** (*Seeking Exemption*)

1. Exemption allowed, subject to all just exceptions.
2. The Application stands disposed of.

**CRL.M.C. 4254/2025**

3. A Petition under Section 528 of Bhartiya Nagrik Suraksha Sanhita, 2023 BNSS, 2023 read with Section 482 Cr.P.C has been filed on behalf of the Petitioner for quashing of FIR No.403/2021 under Section 279/304-A IPC registered at Police Station Sarita Vihar, New Delhi and consequential proceedings emanated there from.
4. The brief facts are that while driving the car the Petitioner hit into the wife and the five year old child of the Respondent No.2 while they were



crossing the road and died in the accident on 22.11.2021. The matter was settled in the Lok Adalat, whereby Rs.5 lakhs were given by the Petitioner as compensation for the demise of the daughter and Rs.23 lakhs on account of demise of the wife. In all Rs.28 lakhs have been received under MACT. In addition, the Petitioner has agreed to pay a compensation of Rs.15 lakhs out of which Rs.7 lakhs have already been received by the Respondent No.2 and the two Demand Drafts viz. D.D No.504793 and D.D No.504794 in the sum of Rs.6,00,000/- and Rs.2,00,000/- respectively, both dated 27.05.2025 in the name of Gulam Rasool issued by ICICI Bank Connaught Place, Branch are handed over to the Respondent No.2 today in the Court in terms of the Settlement dated 26.05.2025.

5. Both the parties are present in the Court today and have been identified by their counsel and Investigating Officer concerned. The parties submit that the Settlement has been arrived at between them without any pressure, force or coercion and they undertake to abide by the terms of the Settlement dated 26.05.2025.

6. The Respondent No.2 further submits that he has 'No Objection' to the quashing of the FIR No. 403/2021.

7. Considering that the other beneficiary is the Respondent No.3 Ms. Ruqayya daughter of Respondent No.2 Gulam Rasool, it is hereby directed that the endorsement be made at the back of the Demand Drafts directing that half of the amount paid today through Demand Drafts, be kept in FDR in the name of Respondent No.2 Gulam Rasool and the remaining half of the amount paid today be kept in FDR in the name of Respondent No.3 Ms. Ruqayya, for a period of five years.

8. In view of the above, the Petition is allowed. Accordingly, the FIR



bearing No. 403/2021 registered at Police Station Sarita Vihar, for offences punishable under Sections 279/304 A IPC with all the subsequent proceedings and the Chargesheet is hereby quashed qua the Petitioner.

9. The Petition is allowed and stands disposed of accordingly.

**NEENA BANSAL KRISHNA, J**

**JULY 3, 2025/va**