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

+ **CRL.M.C. 4344/2025**

VINOD KUMAR

.....Petitioner

Through: Mr. Ankit Chauhan, Mr. Sumit Chauhan, Mohd. Mohid and Mr. Palash Sharma, Advs. with petitioner in person.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Tarang Srivastava, APP with SI Nitin Kumar PS Harsh Vihar.
Mr. Roshan Kumar, Adv. for R-2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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18.11.2025

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of the FIR No. 05/2019 under Sections 288/304A IPC registered at P.S. Harsh Nagar, Delhi and all consequential proceedings emanating therefrom, on the ground that the parties have arrived at a settlement.
2. Issue notice. Mr. Tarang Srivastava, the learned APP for the State accepts notice.
3. The petitioner, as well as, respondent no. 2 (wife of deceased) are present in Court and they have been identified by their counsel, as well as, by investigating officer SI Nitin Kumar PS Harsh Vihar.
4. The case of the prosecution is that the deceased had fallen from the



bamboo platform which had been erected to enable the labour to execute the construction work. The injured was taken to the hospital where he was declared brought dead. Accordingly, the present FIR came to be registered.

5. The learned counsel appearing on behalf of petitioner submits that the petitioner had entered into settlement with the respondent no.2, who is the wife of the deceased. He further contends that the wife has now re-married.

6. It is further submitted that the settlement was arrived at on 08.02.2019, almost 07 years ago and the full and final settlement amount of Rs.1,30,000/- has already been paid. The copy of settlement deed dated 08.02.2019 is enclosed herewith as Annexure P-7.

7. The respondent no.2 is present in Court and affirms the factum of settlement and acknowledges having received settlement amount of Rs. 1,30,000/-.

8. On being queried by the Court, she states that she does not wish to prosecute the criminal matter.

9. 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.”

10. In view of the aforementioned 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.

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

12. Consequently, the petition is allowed and the FIR No. 05/2019 under Sections 288/304A IPC registered at P.S. Harsh Nagar, Delhi alongwith all other proceedings emanating therefrom, are quashed.

13. The petition alongwith pending application stands disposed of in the above terms.

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

VIKAS MAHAJAN, J

NOVEMBER 18, 2025

N.S. ASWAL