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

+ **CRL.M.C. 6086/2025**

JAGTAR SINGH

.....Petitioner

Through: Appearance not given.

versus

THE STATE NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for the
State with SI Krishan Kumar, PS
Bawana.

Mr. Rohit kumar, Mr. Vijay Kumar,
Mr. Jaspal Singh & Mr. Gopal,
Advocates for Respondents.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

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22.09.2025

CRL.M.A. 25907/2025

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 6086/2025

1. Petitioner herein seeks quashing of an FIR No. 750/2022 dated 03.10.2022 for the alleged offences under Sections 336, 304A of IPC, registered at Police Station Bawana, along with all the consequential proceedings arising therefrom, on the basis of a compromise dated 04.06.2025 between the parties.

2. Briefly speaking, the case set up per FIR lodged on the complaint of respondent no.2, husband of deceased worker, is that the deceased victim



who was working in the factory of the petitioner, had a fall from the first floor while on duty. She incurred a serious head injury and was taken to the hospital by the petitioner. However, the victim subsequently passed away due to the fatal injury. Petitioner also paid Rs.1,13,042/- towards her treatment on humanitarian grounds, as well as paid Rs.30,000/- as the cremation expenses for the victim. Subsequently, FIR No. 750/2022 was lodged at Police Station Bawana on incorrect information.

2.1 The legal heirs of the deceased are Respondent No.2 (Husband) and Respondent No.3 to 5 (Children).

3. Learned counsel for the petitioner submits that with a view to preserve harmony and peace between them, and with the intervention of common friend and relatives, the parties have amicably settled all their disputes by way of settlement for a sum of Rs.7,63,402/- *vide* settlement deed dated 04.06.2025.

3.1 He further submits that per the terms of settlement, the petitioner has paid a Rs. 4,20,000/-, in addition to the medical and cremation expenses paid on humanitarian grounds which are Rs.1,13,042/- and Rs. 30,000/- respectively. And the remaining Rs.2,00,000/- shall be paid at the time of the quashing of the aforesaid FIR.

3.2 Learned Counsel further submits that the Respondents No.s 2-5 are not inclined to press charges against the petitioner and have agreed to withdraw their case, and have no objection to the quashing of the FIR in question. He further submits that both the parties shall have no claim in any manner whatsoever from each other in future.

3.3 Learned counsel further submits that although Sections 336 and 304A of the IPC are non-compoundable in nature, in light of the compromise



arrived at between the parties and as no further grievance subsists between them, it is in the interest of justice that this Court may be pleased to exercise its inherent powers to quash the FIR and all consequential proceedings.

4. The learned APP submits that he does not dispute the genuineness of the settlement. However, he would submit that given the nature of offence and also a human life having been lost, it is not a case that this Court should exercise its inherent powers under section 528 of BNSS, as it would convey a wrong message to the public at large and would also be against the societal interest to countenance criminal culpabilities by way of compensation to the victim's family. The same goes against the very scheme of criminal jurisprudence.

5. In the aforesaid backdrop, I have heard learned counsels for the parties and have perused the case file.

6. The parties are present before the Court. In response to a query posed by the Court, Respondents Nos. 2 to 5, candidly submit that the settlement have been arrived at voluntarily, without any duress, coercion, pressure from any quarter. They further submit that they are not inclined to press charges against the petitioner as it was a case of accident beyond human control and was an act of God.

7. On a query put to the petitioner, it transpires that the petitioner has paid Rs. 4,20,000/- in addition to what he had already spent on the medical and cremation expenses of the deceased stated to be Rs. 1,13,042/- and Rs. 30,000/- respectively.

8. The fact that the petitioners made out all attempts to immediately move him to hospital and also bore all the medical expenses, goes on to show that there was no intention of any kind on their part of either overt or



covert, which would attract any criminal culpability on their part. 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. Even on a plain reading, and in light of the candid statements of parties, it appears doubtful whether the essential ingredients of the offences invoked under the penal provisions are satisfied. In light thereof, I am of the view that the petition deserve to be allowed on that count as well.

9. Since the complainant does not wish to press charges against the petitioners and there is no incriminating material against them, the chances of conviction are almost negligible. Further criminal proceedings before the court and continuation of the trial would be an abuse of the process of law, especially where the parties have amicably settled their dispute which does not involve any public interest or interest of the society at large. Continuation of proceedings will be an exercise in futility and wasteful expense of public exchequer.

10. Rather continuation proceedings may result in hostility between the parties and defeat the very purpose of such settlement.

11. Quashing the FIR would, on the other hand, facilitate the parties in maintaining or restoring cordiality. Therefore, the proceedings deserve to be quashed in the exercise of the inherent powers of the Court. Reference may be had to the judgement rendered in ***Gian Singh v. State of Punjab & Anr. [(2012) 10 SCC 303]*** in this context.

12. However, I am of the opinion that in addition to the settlement, a sum of Rs. 1,00,000/- each shall be disbursed in equal proportion to all the 6 legal heirs, by way of Cash and/or Demand Draft of Rs. 1,00,000/- in the name of each one of them.



13. The IO shall ensure the compliance of the same. In case the amount is not paid and the proof is not furnished, the prosecution shall be at liberty to revive the proceedings before this Court, subject to the condition that the payment is paid within 15 days.

14. Accordingly, invoking inherent powers vested with this Court under Section 528 of the BNSS, it is therefore deemed expedient to quash the FIR in question.

15. Consequently, the instant petition is thus allowed. The criminal proceedings arising out of FIR No. 750/2022 dated 03.10.2022 for the alleged offences punishable under Sections 336, 304A, registered at Police Station Bawana against the petitioner and further proceedings arising therefrom, are hereby quashed.

16. The petition, along with pending application(s), if any, stands disposed of.

ARUN MONGA, J

SEPTEMBER 22, 2025/nk/rs