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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 2866/2025
PARVEEN KUMARPetitioner
Through: Mr. Om Prakash, Adv.

versus
STATE NCT OF DELHI AND ORSRespondents
Through: Mr. Rahul Tyagi, ASC (Crl.) with Mr. Sangeet Sibou, Mr. Abhishek Tomar, Mr. Prayansh Raj Singh Sengar and Mr. Aniket Kumar Singh, Advs.
Mr. Durgesh Gupta, Adv. with respondent nos. 2, 7 & 8 in person.

CORAM:
HON'BLE MR. JUSTICE ARUN MONGA

ORDER

% **09.09.2025**

1. The petitioner herein seeks compromise quashing of the FIR No. 333/2025 dated 24.06.2025 under Section 125[Act endangering life or personal safety of others]/106(1) [Causing death by negligence] BNS, 2023, P.S. Moti Nagar on the basis of settlement arrived at between the parties.
2. Per the FIR, it is stated that the complainant was working with the deceased late in the night on the third floor banquet hall when a fire broke on the second floor of the building. They further narrate that there was no fire extinguisher on the floor, and fire system was also not installed in the building. With the smoke increasing, the complainants could not breathe. Resultantly, Rajesh (Legal Heirs of whom are respondent Nos. 2-8) died due to suffocation.
3. It is stated and which is not disputed by private respondents who are present in Court that the petitioner is owner of the banquet hall which was functioning after taking necessary permissions including fire certificate.



3.1 The deceased was engaged for some renovation/repair work on the fateful day in the banquet hall, and was not an employee of the petitioner. The carpenters were working on the second floor of the Banquet Hall when a fire broke out on the ground floor, causing a power outage. Smoke quickly spread to the upper floors, forcing both carpenters to take shelter in a second-floor bathroom. One of them, Vipin Sharma, managed to escape to the terrace and reached safety via a neighboring building. However, the other, Rajesh Sharma(deceased), remained trapped. He was later found unconscious and taken to ABG Hospital, where he was declared “brought dead.” The deceased died from smoke inhalation while hiding from the fire. Although, the incident was beyond the Petitioner’s control.

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

5. The learned counsel for the petitioner contends that the incident was beyond the control of the petitioner and he is a young person with his entire future ahead of himself.

5.1 He would submit that the legal heirs/respondents do not above the factual position that the petitioner is an innocent person and was not directly responsible for the death of the deceased. There was no malafide intention on part of the petitioner and the private respondents will not benefit if the petitioner is convicted.

5.2 The learned counsel would further submit that the petitioner morally supported the private respondents on every occasion whenever it was required.

5.3 He also contends that the FIR will take a long time to reach conclusion and he also has clean antecedents. The continuation of the



proceedings would adversely affect the family and growth prospectus of the petitioner.

5.4 Further, he submits that the present dispute has been settled between the parties and they undertake to abide by any further conditions which this Court may deem fit and proper for quashing of the FIR in question. And it is agreed by the private respondents that no proceedings shall be initiated by the private respondents whatsoever before Labour Office, Labour Court under Workmen Compensation Act.

6. It is stated by learned counsel for parties that the parties have settled their dispute amicably by way of Settlement Deed dated 18.08.2025 for a total sum of Rs.14,50,000/- out of which Rs.4,50,000/- has already been paid to the private respondents as initial payment.

7. Today a cheque of Rs.10,00,000/- has been handed over to the private respondents as the remaining settlement amount.

8. Though the matter has been settled at Rs.14,50,000/- but in the course of hearing, at the instance of this Court, petitioner and respondent No.2 re-deliberated and mutually agreed that the petitioner shall pay another sum of Rs.5,00,000/- as an additional amount.

9. Learned counsel for the petitioner alongwith petitioner in person submit that a cheque for the aforesaid amount of Rs.5,00,000/- has been already given to the private respondents. He further submits that both the cheques shall be honoured upon presentation.

10. In view of the abovesaid settlement, further proceedings in the present matter would be an abuse of process of law, especially where the parties have amicably settled their dispute, which does not harm any public interest or interest of the society at large. In such circumstances, continuation of



proceedings may result in defeating the very purpose of settlement.

11. On the other hand, quashing would result in maintaining the much desired cordiality between the petitioner and private respondents.

12. Moreover, allowing the criminal proceedings to continue would unnecessarily burden the administrative and judicial system and waste the valuable time of the investigating agencies and the Court. In this context, reference may be had to judgment rendered in ***Gian Singh vs. State of Punjab & Anr., (2012) 10 SCC 303.***

13. Even otherwise, the FIR deserves to be quashed because the incident was purely accidental, occurring when the deceased was working on the second floor while the fire broke out on the ground floor. The petitioner is stated to have obtained all necessary permissions, including the fire safety certificate, showing that he had acted in accordance with legal requirements. There is no evidence of deliberate negligence or intentional wrongdoing on his part. Thus, given these circumstances, further trial proceedings would amount to an abuse of the process of law.

14. Consequently, FIR No. 333/2025 dated 24.06.2025 under Section 125/106(1) BNS, 2023, P.S. Moti Nagar and all proceedings emanating therefrom are hereby quashed.

15. Petition is allowed as above. The parties shall remain bound by the statements made in Court today.

16. All pending application(s), if any, shall also stand disposed of.

ARUN MONGA, J

SEPTEMBER 9, 2025/acm