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

+ **CRL.M.C. 6544/2025**

NATHA SINGH

.....Petitioner

Through: Mr. Manmohan Singh Narula, Mr. Sarabjeet Singh and Mr. Amit Yadav, Advocates.

versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Amit Ahlawat, APP for the State. SI Shriom Dagar, PS: Vikaspuri and ASI Rameshwar Meena. Mr. H. S. Yadav, Advocate for Complainant.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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22.09.2025

1. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (corresponding to Section 482 of the Code of Criminal Procedure, 1973²) seeks quashing of FIR No. 639/2022 dated 21st December, 2022, registered under Sections 287/304A³ of the Indian Penal Code, 1860⁴ at P.S. Vikaspuri, Delhi and all consequential proceedings emanating therefrom.

2. The case of the prosecution, in brief is that the deceased, Dilip

¹ "BNSS"

² "CrPC"

³ "impugned FIR"

⁴ "IPC"



Yadav, while working at a factory in Keshopur Industrial Area, Vikaspuri, suddenly collapsed and died during the course of his employment. The prosecution alleges that the Petitioner, in his supervisory capacity, failed to ensure requisite safety measures at the worksite and negligently permitted the operation of machinery in violation of prescribed precautions. On this basis, the incident was attributed to the rash or negligent conduct of the Petitioner within the meaning of Sections 287 and 304A of IPC. Upon completion of investigation, a chargesheet was filed for the said offences.

3. Following the incident, with the intervention of well-wishers, the Petitioner and the widow of the deceased, Respondent No. 2, have amicably resolved their differences. The parties have executed a Memorandum of Understanding⁵ dated 1st July, 2025, recording a full and final settlement of all claims arising from the unfortunate death of the deceased. Under the terms of the MoU, the Petitioner has agreed to pay a total sum of INR 11,50,000/- to Respondent No. 2 as compensation in recognition of the hardship suffered by the family. Respondent No. 2, in turn, has confirmed that she does not wish to pursue the impugned FIR and has no surviving grievance against the Petitioner.

4. In furtherance of the settlement, an initial amount of INR 1,50,000/- was paid to Respondent No. 2 at the time of execution of the MoU. The remaining amount of INR 10,00,000/- has been handed over to Respondent No. 2 by way of four Demand Drafts of INR 2,50,000/- each bearing No. 417917, 417916, 497915 and 417913 all dated 12th September, 2025.

5. Considering the number of dependants and to ensure continued financial support to the deceased's family, the Petitioner has, as a gesture of



goodwill and responsibility, voluntarily undertaken to pay an additional sum of INR 20,000/- per month for a period of five years towards the welfare of the deceased's minor children. The said amount shall be directly deposited into their respective bank accounts, details of which shall be furnished to the Investigating Officer within two weeks for verification. The amounts so deposited shall be utilised exclusively for the benefit and needs of the minor children and shall remain subject to the supervision and control of the concerned Trial Court, which may issue appropriate directions from time to time to ensure proper utilisation. The Petitioner's son, who is present in Court, has also undertaken to remain bound by this obligation. Both the Petitioner and his son shall accordingly file affidavits of undertaking before the Trial Court. In the event of a default, Respondent No. 2 shall be entitled to pursue this obligation through other available remedies under civil and criminal law.

6. Respondent No. 2, who is present in person and duly identified by the Investigating Officer, unequivocally states that she does not wish to pursue the FIR proceedings. She affirms that her decision to settle the matter is voluntary and made without any coercion or undue influence. She further confirms that she has received the full and final settlement amount of INR 11,50,000/- in terms of the MoU and is agreeable to the deferred payment arrangement, under which the Petitioner has undertaken to deposit INR 20,000/- per month for a period of five years for the benefit of her minor children. She has expressed satisfaction with these terms and has no surviving grievance against the Petitioner. The Petitioner has also appeared in person and stands duly identified by the Investigating Officer.

⁵ "MoU"



7. It is noted that the offences under Sections 287/304A of IPC are non-compoundable. Nonetheless, the Court, in exercise of inherent powers under Section 482 CrPC (now Section 528 BNSS), may quash proceedings in exceptional cases where a genuine settlement has been reached and no overriding public interest is compromised. The present allegations arise from negligence in a workplace setting, not from intentional or wilful conduct. The death, though unfortunate, does not indicate criminal intent or deliberate wrongdoing by the Petitioner. The settlement represents an earnest effort by the Petitioner to take responsibility and provide financial support to the deceased's family through both a lump sum and recurring contributions for the minor children.

8. In these circumstances, where the settlement is *bona fide*, the conduct in question is not intentional, and no larger public interest is implicated, the matter warrants consideration under the Court's inherent jurisdiction.

9. The Supreme Court in *Gian Singh v. State of Punjab & Anr.*⁶ has held as follows:

“11. As discussed above, offence punishable under Section 186/332/353 of the IPC are non-compoundable being of serious nature, however, if the Court feels that continuation of criminal proceedings will be an exercise in futility and justice in this case demands that the dispute between the parties is put to an end and peace is restored, it can order for quashing of the FIR or criminal proceedings as it is the duty of the Court to prevent continuation of unnecessary judicial process.

12. In view of the law discussed above, considering the Settlement arrived at between the parties and the statements of respondent no.1 & 2, I am of the considered opinion that this matter deserves to be given a quietus as continuance of proceedings arising out of the FIR in question would be an an exercise in futility.”

[Emphasis added]

⁶ (2012) 10 SCC 303



10. Further, in *Narinder Singh & Ors. v. State of Punjab & Anr.*,⁷ the Supreme Court held as follows:

“29. In view of the aforesaid discussion, we sum up and lay down the following principles by which the High Court would be guided in giving adequate treatment to the settlement between the parties and exercising its power under Section 482 of the Code while accepting the settlement and quashing the proceedings or refusing to accept the settlement with direction to continue with the criminal proceedings:

29.1. Power conferred under Section 482 of the Code is to be distinguished from the power which lies in the Court to compound the offences under Section 320 of the Code. **No doubt, under Section 482 of the Code, the High Court has inherent power to quash the criminal proceedings even in those cases which are not compoundable, where the parties have settled the matter between themselves.** However, this power is to be exercised sparingly and with caution.

29.2. **When the parties have reached the settlement and on that basis petition for quashing the criminal proceedings is filed, the guiding factor in such cases would be to secure:**

(i) ends of justice, or

(ii) to prevent abuse of the process of any court.

While exercising the power the High Court is to form an opinion on either of the aforesaid two objectives.

29.3. Such a power is not to be exercised in those prosecutions which involve heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society. Similarly, for the offences alleged to have been committed under special statute like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity are not to be quashed merely on the basis of compromise between the victim and the offender.

29.4. On the other hand, those criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes should be quashed when the parties have resolved their entire disputes among themselves.

29.5. While exercising its powers, the High Court is to examine as to whether the possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to

⁷ (2014) 6 SCC 466



him by not quashing the criminal cases.”

[Emphasis Supplied]

11. Although the offence under Section 287/304A of IPC cannot be treated as strictly ‘*in personam*’, and they touch upon public concerns rather than being confined to individual grievances, the Court must also account for the practical realities of securing a conviction in the present case. Judicial precedent recognises that where the aggrieved party has entered into a voluntary and genuine settlement and no longer supports the prosecution, the likelihood of conviction becomes remote. In the present case, the settlement includes substantial restitution, both lump-sum compensation and ongoing financial support for the minor children, reflecting a genuine and practical resolution. In such a scenario, prolonging criminal proceedings would not further any public purpose and would only extend an adversarial process despite the victim’s family having accepted redress.

12. The aggrieved party has unequivocally confirmed the voluntary nature of the settlement and her desire not to pursue the matter. The compensation, including recurring payments for the minor children, adequately addresses the equities involved. In this backdrop, continuing with prosecution would place an unnecessary burden on the justice system without serving any meaningful objective. Considering the totality of circumstances and the legal principles laid down by the Supreme Court, this case warrants the exercise of inherent jurisdiction under Section 482 CrPC to secure the ends of justice.

13. In view of the foregoing discussion, the petition is allowed. FIR No. 639/2022 and all proceedings emanating therefrom stand quashed, subject to the Petitioner and his son filing the undertaking noted above. The matter shall be placed before the concerned Trial Court for verification of



compliance.

14. The parties shall remain bound by the terms of the settlement and the undertakings furnished in these proceedings.

15. The petition, along with all pending applications, stands disposed of in the above terms.

SANJEEV NARULA, J

SEPTEMBER 22, 2025

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