



\$~48

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

+ **CRL.M.C. 7405/2025**

ASHWANI SINGH

.....Petitioner

Through: Mr. Harsh Vardhan Sharma and Mr.
Shashwat, Advs. along with petitioner

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Satish Kumar, APP for State with
Mr. Bhuman Bansal, Adv.
SI Pradeep, PS Mehrauli in person
Mr. Neeraj Kumar, Adv. for R-2 along with R-2

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

04.12.2025

%

1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (earlier Section 482 of the Code of Criminal Procedure, 1973) has been filed by the petitioner praying for quashing of FIR No. 0602/2025 registered at Police Station Mehrauli for the offences punishable under Sections 106(1)/290 of the Bharatiya Nyaya Sanhita, 2023 (hereinafter "BNS").

2. The brief facts of the case are that on 14.09.2025 at about 11 AM, information was received regarding a soil collapse at Farm No. 17, Oak Drive, DLF Farm, Chhatarpur, New Delhi, where excavation work for waterproofing near the basement sewer was underway and one labourer got buried under the soil. Upon reaching the spot, police found construction tools scattered and several labourers, guards and caretakers present, and



despite rescue efforts by the police and fire brigade, the trapped labourer, later identified as Sonu (son of respondent no. 2), was recovered in an unresponsive condition and shifted by ambulance to Safdarjung Hospital, where he was declared “brought dead” *vide* MLC dated 14.09.2025, leading to registration of the FIR.

3. Learned counsel appearing on behalf of the petitioner submitted that the petitioner and respondent no. 2 (father of the deceased) have settled their disputes amicably and are now moving forward towards a peaceful and harmonious future.

4. Memorandum of Understanding (hereinafter, “MoU”) dated 25.09.2025 is on record and has been annexed as “Annexure P2” to the petition. In pursuance of the said MoU, the petitioner has agreed to pay a total sum of ₹14,00,000/- to respondent no. 2 as full and final settlement of all claims, rights, disputes, complaints, compensation, out of which a remaining amount of ₹6,00,000/- was agreed to be paid at the time of quashing of the FIR.

5. At this juncture, the petitioner has handed over a Demand Draft bearing No. 969852 dated 16.10.2025 for the balance amount of ₹6,00,000/- in the name of respondent no. 2 today in the Court. Respondent no. 2 has verified the particulars of the Demand Draft to his satisfaction and stated them to be correct.

6. It is prayed by the learned counsel appearing on behalf of the parties that the instant FIR may be quashed on the basis of the compromise.

7. Learned APP for the State, who appears on advance notice, accepts notice and submits that there is no opposition to the prayer made by the



petitioner seeking quashing of the FIR in question in view of the settlement arrived at between the parties.

8. Heard learned counsel for the parties and perused the record.

9. The petitioner is present before this Court and has been identified by his counsel and Investigating Officer, Police Station Mehrauli. Respondent no. 2 is also present in the Court and has been identified by his counsel and the Investigating Officer.

10. On a query made by this Court, respondent no. 2 has categorically stated that he has entered into compromise on his own free will and without any pressure. It is also stated by him that the entire dispute has been amicably settled between the parties. As per the compromise deed, respondent no. 2 has received the entire settled amount. Further, he submits that he has no objection to the present FIR being quashed.

11. Keeping in view the fact that the matter stands amicably settled between the petitioner and respondent no. 2 without any pressure, and that the family of the deceased wishes to move on with their life, no fruitful purpose would be served by keeping the matter pending.

12. In view of the fact that the parties have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.

13. It is, thus, in the interest of justice to quash the afore-mentioned FIR and the proceedings emanating therefrom.

14. Hence, in light of the judgment of the Hon'ble Supreme Court passed in *Gian Singh v. State of Punjab (2012) 10 SCC 303*, FIR No. 0602/2025 registered at Police Station Mehrauli for the offences punishable under Sections 106(1)/290 of the BNS, and consequent proceedings emanating



therefrom, are quashed *qua* the present petitioner.

15. The petition alongwith pending application(s), if any, stands disposed of.

AJAY DIGPAUL, J

DECEMBER 4, 2025/ar/yr