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

+ **CRL.M.C. 9477/2024**

**M/S SANDHA GLOBAL INFORMATION
TECHNOLOGY PVT LTD**

.....Petitioner

Through: **Mr. Rishob Raj Jain and Mr. Sharique
Hussain, Advocates**

versus

STATE NCT OF DELHI & ORS.

.....Respondents

Through: **Mr. Nawal Kishore Jha, APP for the
State with SI Jitendra Yadav, PS
Mohan Garden
Mr. Vivek Nagar, Advocate with R-2
& R-3 in person.**

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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31.01.2025

Crl. M.A. 36386/2024 (exemption)

2. Allowed, subject to all just exceptions.
3. The application stands disposed of.

CRL.M.C. 9477/2024

4. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No. 239/2024 under Sections 287/106(1) BNS, 2023 registered at Police Station Mohan Garden and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
5. Issue notice. The learned APP for the State accepts notice. He submits that since the FIR is an outcome of an accident and the parties have arrived at a settlement, the State has no objection in case the FIR in question is



quashed.

6. The Director of the petitioner company, who has also been arrayed as an accused, has joined through video conferencing whereas respondent nos. 2 and 3 who are wife and daughter of late Ram Nawal respectively are present in Court. The parties have been identified by the counsel, as well as, by the Investigating Officer/SI Jitendra Yadav, Police Station Mohan Garden, New Delhi.

7. The case of the prosecution is that deceased Ram Nawal was an employee of the petitioner company and while working on an electric pole he was electrocuted when he came into contact with a live wire on account of which he fell from the pole and suffered head injuries and succumbed to the same.

8. During pendency of the proceedings, the petitioner arrived at a settlement with the respondent nos. 2 & 3, terms whereof were reduced in writing in the form of Settlement Agreement dated 30.07.2024, which is annexed as Annexure P-2 to the present petition.

9. It is a term of the settlement that the petitioner shall pay a full and final settlement amount of Rs. 25 lakhs to the respondent nos. 2 and 3. The said amount is stated to have been paid. The copies of the cheques/DD by which the settlement amount has been paid are annexed as Annexure P-6 (Colly.)

10. Learned counsel appearing on behalf of the petitioner further submits that respondent no. 3 who is daughter of late Ram Nawal has been given employment in the petitioner company, which fact is also affirmed by the respondent no. 3.

11. The respondent nos. 2 and 3 who are present in Court, have also



acknowledged having received the entire settlement amount and states that they have no objection in case the aforesaid FIR is quashed.

12. 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.”

13. In view of the 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.

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

15. Consequently, the petition is allowed and the FIR No. 239/2024 under Sections 287/106(1) BNS, 2023 registered at Police Station Mohan Garden alongwith all other proceedings emanating therefrom, is quashed.

16. The petition stands disposed of in the above terms.

VIKAS MAHAJAN, J

JANUARY 31, 2025
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