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

+ **CRL.M.C. 9027/2025**

BABU RAM AND ORS

.....Petitioners

Through: Mr. Aditya Pratap Singh, Mr. Akrit Sethi and Mr. Shubham Kumar Gupta, Advocates.

versus

THE STATE OF NCT OF DELHI AND ORS.

.....Respondents

Through: Ms. Kiran Bairwa, APP for State with SI Chadani, PS-Paschim Vihar East.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% **17.12.2025**

CRL.M.A. 37739/2025

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. The present petition has been filed on behalf of the petitioners under Section 528 of BNSS, 2023/Section 482 Cr.P.C. seeking quashing of FIR No. 0337/2025 under Sections 209 & 106 BNS registered at P.S. Paschim Vihar East, Outer District, Delhi and all consequential proceedings emanating therefrom, on the ground that the parties have arrived at a settlement.
4. Issue notice. Ms. Kiran Bairwa, learned APP for the State accepts notice.



5. The petitioners as well as respondent nos. 4 to 8 are present in Court. They have been identified by Mr. Aditya Pratap Singh, learned counsel for the petitioners, as well as, by the Investigating Officer SI Chandan, PS-Paschim Vihar East.

6. The case of the prosecution is that the construction was undertaken on a residential plot no. B-30, Multan Nagar, Paschim Vihar, South West, New Delhi. The said plot is owned by petitioner no.4, the construction project was being executed through petitioner no.3 and petitioner nos. 1 and 2 were engaged as contractors for carrying out the aforesaid construction. During the said construction, a wall at the construction site collapsed due to which one worker namely Kulbir Sing was injured. He was taken to the hospital, where he was declared brought dead. This led to the registration of the present FIR.

7. During pendency of the proceedings the parties have arrived at a settlement, terms whereof were reduced in writing in the form of settlement dated 12.11.2025, copy of which is annexed as Annexure-P-2 to the present petition.

8. As per the settlement, the petitioners have agreed to pay a sum of Rs.10 Lacs to the respondent nos. 5 to 8, who are wife and children of the deceased. The settlement amount of Rs. 10,00,000/- has been handed over to the above respondents, in the Court, by way of four separate cheques of Rs.2,50,000/-, the details of which are as under:

1. Cheque no. 000023 dated 04.12.2025 issued by Bank of Baroda, Krishna Park, Vikaspuri of Rs.2,50,000/- in favour of Ms. Manchali Kaur/respondent no.6.
2. Cheque no. 000024 dated 04.12.2025 issued by Bank of Baroda,



Krishna Park, Vikaspuri of Rs.2,50,000/- in favour of Ms. Komal Kaur/respondent no.5.

3. Cheque no. 164020 dated 04.12.2025 issued by Punjab National Bank, New Delhi-Vijay Enclave Dwarka, South West Delhi of Rs.2,50,000/- in favour of Mr. Sumit Singh/respondent no.7.

4. Cheque no. 164021 dated 04.12.2025 issued by Punjab National Bank, New Delhi-Vijay Enclave Dwarka, South West Delhi of Rs.2,50,000/- in favour of Ms. Tayna Kaur/respondent no.8.

9. The receipt of entire amount of Rs.10,00,000/- is acknowledged by respondent no.5 to 8, who are present in court. They state that they are satisfied with the compensation amount, and have no objection in case the FIR is quashed.

10. The mother of the deceased, who is the fifth Class I legal heir has given up her claim over the compensation amount. An affidavit of the mother to that effect has been placed on record which is at page 76-77 of the paper book. The mother is also present in the Court. On being queried by the Court as to whether she has given up her claim in the share of compensation, she answers in the affirmative and states that she has no objection in case the compensation is distributed amongst the wife and children of her deceased son.

11. 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.”

12. 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.
13. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.
14. Consequently, the petition is allowed and the FIR No. 0337/2025 under Sections 209 & 106 BNS registered at P.S. Paschim Vihar East, Outer District, Delhi alongwith all other proceedings emanating therefrom, is quashed, subject to encashment of aforementioned cheques.
15. In the event, cheques are not encashed, the IO is directed to inform the Registry, and the matter will thereafter be listed before the Court.
16. The petition stands disposed of in the above terms.

VIKAS MAHAJAN, J

DECEMBER 17, 2025/jg