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

+ CRL.M.C. 9207/2025

ROHTASH SINGH AND ORS

.....Petitioners

Through: Mr. Anshuman Goswami and Mr.
K.K. Bharti, Advs.

versus

STATE (NCT OF DELHI) AND ORS

.....Respondents

Through: Ms. Kiran Bairwa, APP for State with
SI Jaiveer Kumar, PS. Palam Village.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

23.12.2025

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1. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.400/2023 under Sections 288/304A IPC registered at Police Station Palam Village and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
2. Issue notice. Ms. Kiran Bairwa, learned APP for the State accepts notice.
3. Petitioner no.1, as well as, respondent nos. 2(complainant) and 3 (deceased wife of Diwakar Ram), who are present in Court, have been identified by their respective counsel, as well as, by the Investigating Officer SI Jaiveer Kumar, PS. Palam Village.
4. The case of the prosecution is that petitioner no.1 was constructing his house and for some electrical work he had engaged petitioner no.4/Prateek,



as contractor for the said electrical work. Petitioner nos. 2 and 3 and deceased Diwakar Ram was also working for petitioner no.4. When the vibrator machine was installed by the deceased Diwakar Ram, immediately he was electrocuted on account of which he died. The dispute between the parties also led to the registration of present FIR.

5. Petitioner nos. 2 and 3 are stated to be labourers, whereas petitioner no.4 is a petty contractor, and they do not have any wherewithal to pay for the compensation. Therefore, it is the petitioner no.1, who is compensating the respondent no. 3, the wife of deceased.

6. During pendency of the proceedings, the parties have arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 09.08.2023, which is annexed as Annexure A to the present petition.

7. It is a term of the settlement between the parties that petitioner no.1 shall pay a total sum of Rs. 4.08 lacs to respondent no.3 towards full and final settlement of all her claims on account of compensation etc. The entire settlement amount has already been paid by petitioner no.1 to the respondent no.3 in the manner as mentioned in the settlement.

8. The receipt of entire amount of Rs. 4.08 lacs is acknowledged by respondent no.3, who is present in court.

9. Respondent no.3, on a query posed by the Court, affirms the factum of settlement and states that she is satisfied with the compensation. She further states that she has no objection in case the FIR is quashed.

10. 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.”

11. 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.
12. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.
13. Consequently, the petition is allowed and the FIR No.400/2023 under Sections 288/304A IPC registered at Police Station Palam Village alongwith all other proceedings emanating therefrom, is quashed.
14. The petition stands disposed of in the above terms.
15. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

DECEMBER 23, 2025/dss