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

+ W.P.(CRL) 3297/2016, CRL.M.A. 17788/2016

DINESH TYAGI & ANR.

.....Petitioner

Through: Mr. Ashwini Kumar Mishra and Mr.
Sandeep Tyagi, Advocates.

versus

STATE OF NCT OF DELHI & ORS

.....Respondent

Through: Ms. Rupali Bandhopadhyaya, Ld. ASC for
the State with SI Vinod Bhati, P.S.
Mehrauli.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

24.03.2025

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1. The Petition under Article 226 of the Constitution of India read with Section 482 Cr.P.C, has been filed by the Petitioners Dinesh Tyagi and Saleem, for quashing of the FIR bearing No.1483/2016 under Sections 336/304A/34 IPC, registered at Police Station Mehrauli, Delhi.

2. Briefly stated, on 12.08.2016 Mohd. Arshad son of Respondent No.2 Mobarak while working as a mason died in an accident caused due to electrocution at the construction site i.e. House No.328/1, Shivalay Road, Chattarpur Village, New Delhi and Petitioner No.2 was the Contractor of the said construction site. On the complaint of Respondent No.3 Farful Miyan @ Mohd. Farman FIR No.1483/2016 under Section 336/304A/34 IPC dated 13.08.2016 was registered at Police Station Mehrauli against the Petitioners.

3. Subsequently, on 22.10.2016 with the intervention of family friends, well wishers and respectable members of the Society, the parties herein mutually agreed and settled the matter, whereby the Petitioners paid a sum of Rs.4,60,000/- to the Respondent No.2 and the Respondent No.2 stated he has no objection to the quashing



of the FIR. However, this Court observed that compensation amount payable to Respondent No.2 needs to be enhanced.

4. The Petitioners and Respondent No.2 are present in the Court today. The Petitioners have paid an additional sum of Rs.1 lakh to the Respondent No.2, who has been identified by the I.O. the Respondent No.2 submits that he is native of Bihar and working in Punjab and has no place of residence in Delhi. He accepts the additional sum of Rs.1 lakh towards full and final Settlement and submits that he has no objection to the quashing of the FIR. Therefore, the Petition be quashed.

5. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned.

6. In view of the submissions made, the Petition is allowed. Accordingly, the FIR bearing No. 1483/2016 registered at Police Station Mehrauli, Delhi, for offences punishable under Sections 336/304A/34 of the Indian Penal Code, 1860 with all the subsequent proceedings and the charge sheet is hereby quashed *qua* both the accused persons/petitioners.

7. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

MARCH 24, 2025

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