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

+ CRL.M.C. 3294/2017 & Crl. M.A. no. 13512/2017

KULDEEP KHANSILI

..... Petitioner

Through :Mr. Gaurav Gaur, Adv. with
petitioner in person.

versus

THE STATE & ORS

..... Respondents

Through :Ms. Meenakshi Chauhan, APP with
SI Laxman, P.S. Janakpuri for the
State
Mr. Anwar Ali Khan, Adv. with
respondent nos. 2 to 4

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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31.08.2017

Delhi Metro Rail Corporation awarded work of construction at its site at Janakpuri to H.C.C. Samsung JV Company. Petitioner was working as 'Senior Supervisor' at the Site. Deceased Vinod was working as a labourer at the site. He fell down from the scaffolding and died in the hospital after one day. Initially FIR No. 579/2016 was registered at Police Station Janak Puri under Sections 287/337 IPC. After the deceased died, offence under Section 337 was converted to Section 304-A IPC. During the investigation, petitioner and LRs of deceased are stated to have settled their disputes.

Respondent no. 2 is widow and respondent nos. 3 and 4 are the parents of deceased. Respondent nos. 2 to 4 are present in Court along with their counsel and have been identified by SI Laxman of P.S. Janakpuri. They have also filed their respective affidavits. Respondent no. 2 admits having already received ₹7,28,000/-; while respondent nos. 3 and 4 admits that they have received ₹1,00,000/-. Petitioner has paid another sum of ₹1,00,000/- to respondent no. 2 and ₹1,00,000/- to respondent nos. 3 and 4. Respondent nos. 2 to 4 state that they have settled the matter with petitioner of their own free will and without any undue force, pressure or coercion.

It is submitted that petitioner was working as a 'Senior Supervisor' at site and deceased had fallen from the scaffolding accidentally. Respondent nos. 2 to 4 have been suitably compensated and they are not willing to pursue the FIR, therefore, the same may be quashed.

Keeping in mind the facts and circumstances, as detailed above, and more particularly the fact that concerned parties have settled the matter voluntarily and victims have also been suitably compensated, in the interest of justice, FIR No. 579/2016 under Sections 287/337/304A IPC registered at Police Station Janak Puri and the consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms. Miscellaneous application is disposed of infructuous. Dasti.

A.K. PATHAK, J.

AUGUST 31, 2017

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