

(2025) 02 DEL CK 1203

In the Delhi High Court

Case No : Criminal Miscellaneous Petition No. 665 Of 2025

Sandeep Kapoor

APPELLANT

Vs

State (Govt Of Nct Delhi) & Anr

RESPONDENT

Date of Decision : 25-02-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 482, 528
Indian Penal Code, 1860 — Section 287, 337, 338

Citation : (2025) 02 DEL CK 1203

Hon'ble Judges : Neena Bansal Krishna, J

Bench : Single Bench

Advocate : Gurpreet Singh, Shoaib Haider

Final Decision : Disposed Of

Judgement

Neena Bansal Krishna, J

CRL.M.A. 3156/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.

2. The Application stands disposed of.

CRL.M.C. 665/2025

3. Petition under Section 482 or under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'B.N.S.S.') has been filed on behalf of the Petitioner, Sandeep Kapoor for quashing of FIR No. 0324/2017 under Section 287/337/338 of the Indian Penal Code, 1860 (hereinafter referred to as 'IPC') registered at Police Station GTB Enclave, in terms of the Settlement between the parties vide Memorandum of Settlement (MOU) dated 06.12.2018.

4. Issue Notice.

5. Mr. Shoaib Haider, learned APP appearing on advance Notice, accepts Notice on behalf of the State.

6. As per the FIR, while the Respondent No. 2 was working on the moulding machine in the factory of the Petitioner, her fingers of left hand got crushed in the machine. There has been impairment of half of two fingers of left hand. As per the terms of the MOU dated 06.12.2018, the Petitioner has paid the compensation in all of Rs.4,00,000/- for the injuries suffered by the Respondent No. 2, in the accident.

7. In view of the MOU dated 06.12.2018, the present Petition has been filed.

8. The parties are present before this Court in-person today and have been identified by their learned counsel and the Investigating Officer concerned. The Statement of the parties have already been recorded before the learned Joint Registrar on 31.01.2025 wherein the parties have endorsed that they are willing to compromise the matter, without any coercion, in terms of the MOU dated 06.12.2018.

9. Both the parties undertake to remain bound by the terms of the MOU and there is no objection on behalf of the Respondent No. 2 for quashing of the FIR and the proceedings emanating therefrom.

10. The parties have submitted that all the disputes have been amicably settled vide MOU dated 06.12.2018 and thus, no fruitful purpose will be served in continuing with the FIR. The present Petition has been signed by the Petitioner and is supported by his Affidavit.

11. Considering that the matter has been amicably settled and the Respondent No. 2 has been suitably compensated, no useful purpose will be served in continuing with the proceedings, rather the same would create further acrimony between them. Hence, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto.

12. Moreover, there is no legal impediment in quashing the aforesaid FIR in question.

13. Accordingly, FIR No. 0324/2017 under Section 287/337/338 of the Indian Penal Code, 1860 registered at Police Station GTB Enclave and all consequential proceedings emanating therefrom are quashed.

14. The Petition stands disposed of.