



2026:DHC:6693



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

% *Date of Decision: 14.08.2026*

CNR No. DLHC010278282026

+ **CRL.M.C. 4587/2026 & CRL.M.A. 19098/2026**

M/S SWASTIK TRADERS THROUGH PROPRIETOR
SHIVENDER PAL SINGH & ANR.Petitioners

Through: Ms. Nidhi Lakra, Advocate.

versus

STATE GOVT. OF NCT OF DELHI AND ORS.Respondents

Through: Mr. Hemant Mehla, APP for State
with IO/ASI Naveen Kumar.

Ms. Komal and Mr. Aryan,
Advocates for R-2.

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. Petitioners seek quashing of case FIR No. 262/2026 of Police Station Kalindi Kunj, Delhi for offence under Section 290/106(1) BNS on the ground that the respondents no.2 to 7 have compromised the disputes with the petitioners. Petitioner no.1 is the contractor firm and petitioner no.2 is its engineer, who had engaged services of the deceased. The private respondents are the legal heirs of the deceased.



2. Broadly speaking, the allegation against the present petitioners is as follows. In the month of April 2026, while working on Kalindi Kunj Barrage under the contractor (*the present petitioner no. 1*) and the engineer (*the present petitioner no. 2*), the deceased on account of lack of safety equipment fell in the Yamuna river and drowned to death. The FIR was registered on the detailed complaint of brother of the deceased, who explained that despite their repeated requests, the contractor did not furnish specific security equipment and it is because of that the deceased fell and drowned to death. It is also stated in the FIR that initially the deceased and co-worker carried out some work on the barrage but stopped work due to lack of safety equipment, and it is only on the subsequent assurance of providing safety kit that the work was again started by the deceased and his brother, but no safety equipment was supplied by the present petitioners.

3. It is submitted by learned counsel for petitioners that they have settled the disputes with the family members of the deceased, so the subject FIR deserves to be quashed.

4. Learned APP for State assisted by IO/ASI Naveen Kumar accepts notice and strongly opposes this petition.

5. I am of the view that allowing this petition would be tantamount to sanctifying blood money, which is not recognized by any civilised society.



On account of the alleged negligence on the part of the petitioners, it is the deceased, who suffered pain and loss of life, so none else can come forward to settle. So far as the money paid to the family of the deceased, the same is compensation under relevant labour law and it cannot be extended to settle the alleged offence.

6. Learned counsel for petitioners submits that petitioners had provided all safety equipment to the deceased, so the petitioners are not guilty of any negligence. But that would be a matter of trial. It is trite that the High Court cannot conduct a mini trial while exercising inherent powers. *Prima facie*, the material collected during investigation shows that had the petitioners provided the requisite safety kit, the deceased would not have lost his life.

7. I do not find it a fit case to exercise inherent powers in order to quash the impugned FIR. Therefore, the petition is dismissed. Accompanying application stands disposed of.

8. However, it is made clear that none of the above observations shall be read to the prejudice of either side by the trial court at the culmination of trial and the learned trial court shall take an independent view on the basis of evidence adduced during trial.

**GIRISH KATHPALIA
(JUDGE)**

AUGUST 14, 2026/ry