



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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CRM-M-17631-2025 (O&M)

Date of decision: 08.09.2025

Ravi Kumar Bhalla

....Petitioner

Versus

State of Haryana and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Sanyam Khetarpal, Advocate for the petitioner

Mr. Parmod Kumar, AAG Haryana

Mr. Sahil Goyal, Advocate for

Ms. Kajal, Advocate for respondent No.2

AMAN CHAUDHARY, J. (ORAL)

1. The present petition has been filed for quashing of FIR No.63, dated 05.04.2023, registered under Sections 304-A IPC, at Police Station Raipur Rani, District Panchkula, Haryana, and all other consequential proceedings arising therefrom on the basis of the compromise dated 18.03.2025 (Annexure P-2).

2. Learned counsel submits that the petitioner is the owner of Bhalla Agency (Bajaj Motorcycle) while the deceased was the worker thereof, had died due to electrocution and thus, FIR under Section 304-A IPC was registered. Thereafter, with the intervention of the respectable, the matter had been compromised and statements had been record. In this regard, reference is made to para Nos.6 and 7 of the judgment of this Court in **Sikander Yadav and Another vs. State of Haryana and Others**, CRM-M-55259-2019, decided on 24.02.2023, which read thus:

“6. In the present case, the offense under section 304-A



of the Indian Penal Code, 1860 [IPC] is not compoundable under Section 320 of the Code of Criminal Procedure, 1973 [CrPC]. Regarding the quashing of FIR under Section 304-A IPC, it is well settled that FIR cannot be quashed when it relates to death in a roadside accident. The rationale is to curb the ever-increasing accidental deaths because of rash and negligent driving. However, the scope of Section 304-A IPC is not restricted only to accidental road deaths but also to any rash and negligent act. It encompasses the actions taken casually, rashly, and negligently leading to accidental deaths. Thus, when the cause of death is because of a reason other than a roadside accident, the Court must consider the role of the accused and whether his actions were prima facie rash and negligent similar to those under road accident cases. In case the allegations are para-material like those of road accident cases, the FIR should not be quashed; however, when the role lacks mensrea or culpability, there is no reason not to quash the FIR, more so when the FIR for much graver offenses under Sections 307 or 326 IPC can be quashed. Furthermore, Section 320 CrPC provides for compromise with the legal representatives of the deceased when the victim has expired during the pendency. The difference is that in Section 304A IPC cases, the victim expires not during the pendency but because of the accident. Another angle that cannot be lost is that when the deceased's family absolves the accused of any negligence or rash act, it would be impossible for the prosecution to succeed during the trial. Thus, quashing of cases under Section 304-A IPC, other than roadside accidents, can be quashed depending upon the facts and circumstances of each case, the role assigned to the accused, mensrea, and the guilt of the such person.

7. In the present case, petitioner no. 1 is the civil contractor, and 2nd is the property's owner. The deceased was staying with her husband in the underconstruction house of 2nd petitioner. At around 11-00 A.M., i.e., in broad daylight, when she was cleaning the area, she removed the electrical wire from the motor of a water pump. Since the surface below was wet, the moment she touched the wire, she got an electric shock, which led to her death. The affidavit regarding the compromise of her husband specifically stated that neither the owner of the plot nor the contractor was responsible for the said accident in any manner whatsoever. In fact, after the death, both contributed financially and emotionally by helping them. They also spent the entire money on her treatment and handed over the deceased's husband a sum of Rs Three lakhs as compensation. The victim's husband specifically stated that neither Santosh, the plot owner nor Sikander, the contractor was responsible for the said accident in any manner. A perusal of these facts points out that the accident occurred in broad daylight, and as an adult, the victim should have been more



careful while touching the electric wire in an under-construction site and should have stayed away from the wire and electric pump. The undisputed position is that it was not stated that the plot owner had had such a pump affixed. There is also no evidence that the contractor had done the pump's wiring and that the contractor had done it himself without hiring any trained electrician. Given the above, it is not a case where the acts of the plot's owner or the contractor can be termed as rash or negligent.”

3. He further refers to **Sunil Malhotra and Another vs. The State NCT of Delhi and Another** in CRM-M-2167-2023, decided on 22.11.2023, wherein also the deceased, who was working in the Hotel, died due to electric shock.

4. Learned State counsel assisted by the learned counsel for respondent No.2 affirm the factum of compromise.

5. Heard learned counsel for the parties and also gone through the case file.

6. This Court while issuing notice of motion vide order dated 01.04.2025, directed the parties to appear before the trial Court/Illaq Magistrate for recording their statements with regard to the compromise.

7. Pursuant to the aforesaid order, report dated 29.04.2025 has been received from the learned Judicial Magistrate 1st Class, Panchkula. A perusal of the said report reveals that statements of the concerned persons have been recorded in the present case, who have stated that the matter has been settled between them and they have no objection in case the FIR in question is quashed. The compromise effected between them is genuine, without any undue influence and coercion. It is stated in the report that there is one accused. Neither he has been declared as proclaimed offender, nor involved in any other FIR.



8. The Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab**, 2007 (3) RCR (Criminal) 1052, held that High Court has power under Section 482 Cr.P.C. to allow the compounding of non-compoundable offence and quash the prosecution where the High Court is of the view that the same was required to prevent the abuse of the process of law or otherwise to secure the ends of justice. This power of quashing is not confined to matrimonial disputes alone.

9. Hon'ble the Supreme Court in the case of **Gian Singh vs. State of Punjab and another**, 2012 (4) RCR (Criminal) 543, had observed that in order to secure the ends of justice or to prevent the abuse of process of Court, inherent power can be used by this Court to quash criminal proceedings in which a compromise has been effected. The relevant portion of para 57 of the said judgment reads thus:-

“57. The position that emerges from the above discussion can be summarised thus: the power of the High Court in quashing a criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences under Section 320 of the Code.

Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guideline engrafted in such power viz; (i) to secure the ends of justice or (ii) to prevent abuse of the process of any Court. XXX---XXX”

10. It would be apposite to refer to **Ramgopal and Anr. vs. State of Madhya Pradesh**, 2021 SCC Online SC 834, where Hon'ble The Supreme Court after expounding the law on compromise quashing under Section- 320 Cr.P.C., and held thus:

“19. We thus sum-up and hold that as opposed to Section 320 Cr.P.C., 1973 where the Court is squarely guided by the compromise between the parties in respect of offences 'compoundable' within the statutory framework, the extraordinary power enjoined upon a High Court under Section 482



Cr.P.C., 1973 or vested in this Court under Article 142 of the Constitution, can be invoked beyond the metes and bounds of Section 320 Cr.P.C., 1973 Nonetheless, we reiterate that such powers of wide amplitude ought to be exercised carefully in the context of quashing criminal proceedings, bearing in mind:

- (i) Nature and effect of the offence on the conscious of the society;
- (ii) Seriousness of the injury, if any;
- (iii) Voluntary nature of compromise between the accused and the victim; &
- (iv) Conduct of the accused persons, prior to and after the occurrence of the purported offence and/or other relevant considerations.”

11. The death of the complainant’s son, had taken place on account of the electric shock at the workplace, for which the Owner-respondent No.2 had taken responsibility and paid the compensation for the loss. The FIR was registered against the petitioner on 05.04.2023 and whereafter, when the complainant realised that the petitioner was not at fault in any manner, agreed to make a statement in the Court in this regard and thus, a compromise was arrived at between them.

12. In the case of **B.S. Joshi and others v. State of Haryana and another**, 2003 (4) SCC 675 the Hon'ble Apex Court observed that “even though the provisions of Section 320 Cr.P.C. would not apply to such offences which are not compoundable, it did not limit or affect the powers under Section 482 Cr.P.C. The Hon'ble Apex Court laid down that if for the purpose of securing the ends of justice, quashing of FIR becomes necessary, Section 320 Cr.P.C. would not be a bar to the exercise of power of quashing. In the nutshell, the Hon'ble Apex Court justified the exercise of powers under Section 482 Cr.P.C. to quash the proceedings to secure the ends of justice in view of the special facts and circumstances of the case, even where the offences were non-compoundable.”

13. In view of the afore-referred judgments, perusing the report of the



trial Court regarding amicable settlement between the petitioner and the complainant, this Court finds that quashing the FIR will accord a quietus to all disputes between the parties and it is in the interest of both sides to bury the hatchet and lead a peaceful life. Thus, no useful purpose would be served in continuing the proceedings and in order to secure the ends of justice, the criminal proceedings in the present case deserve to be quashed.

14. Resultantly, the present petition is allowed and FIR No.63, dated 05.04.2023, registered under Sections 304-A IPC, at Police Station Raipur Rani, District Panchkula, Haryana, and all other consequential proceedings arising therefrom are quashed qua the petitioner on the basis of the compromise dated 18.03.2025.

(AMAN CHAUDHARY)
JUDGE

08.09.2025
M.Kamra

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No