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

+ CRL.M.C. 7109/2025 & CRL.M.A. 29859/2025 STAY

CRL.M.A. 29860/2025 EXMP.

RAJA SHARMA

.....Petitioner

Through: Mr. Anish Kumar Pandey,
Mr.Navneet and Mr. Suraj, Advs.
(VC)

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for the
State with Inspector Satbir Singh, P.S.
Jaitpur.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

% **08.10.2025**

1. The present petition has been filed under Section 528 of the Bharatiya Nyay Suraksha Sanhita, 2023 seeking quashing of FIR No. 0315/2020 dated 02.08.2020, registered at Police Station Jaitpur, New Delhi, under Sections 287 and 304A of IPC, 1860.

2. Per FIR, on 01.08.2020, deceased Anil Kumar, aged about 42 years was brought dead to Holy Family Hospital, having suffered electrocution while working as a plumber at an under-construction house in Hari Nagar Extension, New Delhi. On inspection by the police, the basement was found flooded and temporary electrical wiring was being used therein. The house owner, Raja Sharma, had not ensured safety measures. The negligence led to aforesaid FIR No. 315/2020 under Sections 287/304A IPC.



3. Quashing of the impugned FIR is being sought *inter alia* on the grounds that the petitioner is an innocent, and has been falsely implicated to harass him and extract compensation from the family of the deceased. At the time of the incident, he was not present at the under-construction house. The deceased was not employed by him; there were no eyewitnesses, and the police investigation failed to produce any evidence linking him to the alleged negligence. The Labour Commissioner has already awarded compensation, which the Petitioner is willing to comply with, yet a parallel criminal case is being pursued.

4. In the aforesaid backdrop, I have heard learned counsel for the petitioner, learned APP for the State and perused the material available on record.

5. The primary ground of seeking quashing of the FIR appears to be that during pendency of the trial proceedings arising of the FIR, *vide* an order dated 16.04.2025 Labour Commissioner has since granted compensation to the Legal Heirs of the deceased, therefore, parallel criminal proceedings are not maintainable.

6. I am unable to persuade myself to the insipidity of the aforesaid argument as civil and criminal proceedings operate in different domains having different scopes altogether.

7. Moreover, the FIR is of the year 2020 and a belated/futile attempt is being made after five years of the registration of the FIR when the trial proceedings are currently underway after framing of the charges.

8. In view of the above, no ground is made out to quash the FIR. The petition is thus dismissed.

9. However, the defence taken before this Court by the petitioner is left



open to be decided at the appropriate stage by the learned Trial Court.

ARUN MONGA, J

OCTOBER 8, 2025

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