IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr. MMO No. 590 of 2026
Reserved on: 22.09.2026
Date of Decision: 30.09.2026

Naresh Kalia .... **Petitioner**

Versus

State of H.P. & others .... **Respondents**

Coram
Hon'ble Mr Justice Rakesh Kainthla, Judge.
Whether approved for reporting? No.

For the petitioner : **Mr Sanjeev Kumar Suri, Advocate.**

For respondents : **Mr Tarun Pathak, Deputy Advocate General, for respondents No.1 /State.**

Ms Abhilasha Kaundal, Advocate, for respondents 4 and 5(a) and 5(b).

Rakesh Kainthla, Judge

The petitioner has filed the present petition for quashing of F.I.R. No. 78 of 2020, dated 16.09.2020, registered at Police Station Haripur, District Kagnra, H.P. for the commission of offences punishable under Sections 279, 337 and 304-A of the Indian Penal Code and Section 187 of the Motor Vehicles Act (MV Act) and consequential proceedings arising out of it, based on the compromise effected between the parties.

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2. It has been asserted that the parties were known to each other and they have compromised the matter with the intervention of the respectable persons of the society. The informant, victim, and legal heirs of the deceased do not want to proceed further with the matter after the compromise. Hence, the present petition.

3. The statements of the informant, Shankar Dass, and Harbans Lal , legal heir of the deceased Amar Singh, were recorded on 05.08.2026, in which they stated that they had entered into a compromise with the petitioner voluntarily without any influence from any person, and they had no objection to the quashing of the F.I.R. based on a compromise between the parties. Harbans Lal further stated that he is a special power of attorney holder for his mother, Punia Devi, and she had authorised him to enter into a compromise on her behalf.

4. The status report mentions that Amar Singh had died in the accident and, as per the certificate issued by the Patwari, his wife Punia Devi and son Harbans Lal are his legal heirs.

5. I have heard the learned counsel for the parties and have gone through the records carefully.

6. Section 320(4) (b) of the Code of Criminal Procedure (Cr.P.C.) provides that, when any person who is otherwise

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competent to compound an offence under this Section is dead, his legal representative, with the consent of the Court, may compound the offences; therefore, it is permissible for the legal representatives to compound the offences and, by analogy, enter into a compromise on behalf of the deceased.

7. This Court has quashed the F.I.R. registered for the commission of an offence punishable under Section 304-A of IPC in ***Ramalingam Sambanth & ors. vs. State of H.P., 2023: HHC5908, Madhuri Saini & anr. vs. State of H.P. & others, CrMMO No. 885 of 2024, decided on 14th November, 2024.*** Further, the Delhi High Court quashed the F.I.R. for the commission of offences punishable under Section 304-A of IPC, inter alia, in ***Sunil Kumar Sharma & anr vs. State of H.P. & Ors. 2025 Supreme(Online) (DEL) 830*** and ***Inderjit Kaur & another vs. The State NCT of Delhi and ors. 2024 Supreme(Online)(Del) 5497.*** This Court has also quashed the F.I.R. registered for the commission of offences punishable under Sections 279 and 337 of the IPC and Section 187 of the MV Act in ***Sushant vs. State of H.P. 2023 HLC 531, Vikas Huda vs. State of H.P. 2023 STPL 3009, Kulvinder Singh vs. Ankush Kumar 2023 HLR 384*** and ***Nishant vs. State 2022 Suppl. Law Cases 45 and others,*** and FIR registered for the commission of an offence punishable under

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Section 181 of the MV Act in ***Suresh Kumar v. State of H.P. 2022 (1) Him L.R. (HC) 81, High Court of H.P. Vijender Mehta and another Vs. State of H.P. and another (2023) ACC 488 (H.P.) and Sandeep Kumar Vs. State of H.P. and others II (2023) ACC 651 (H.P.)***. This Court quashed the FIR registered for the commission of an offence punishable under Section 196 of the MV Act in ***Rajender Thakur Vs. State of H.P. and others, 2022 STPL 10700 HP, and Akshay Kumar and others Vs. State of HP and others, 2022 STPL 9456 HP.*** These judgments are binding upon this Court.

8. In view of the above, the present petition is allowed, and FIR No. 78 of 2020, dated 16.09.2020, registered at Police Station Haripur, District Kangra, H.P. for the commission of offences punishable under Sections 279, 337 and 304-A of IPC and Sections 187, 181 and 191 of M.V. Act and consequential proceedings arising out of F.I.R. are quashed.

9. Petition stands disposed of in the above terms, so also pending applications, if any.

10. Parties are permitted to produce a copy of this judgment, downloaded from the webpage of the High Court of Himachal Pradesh, before the authorities concerned, and the said authorities shall not insist on the production of a certified copy but,

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if required, may verify passing of the order from the website of the High Court.

(Rakesh Kainthla)
Judge

30th September, 2026
(Ravinder)

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