

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 5456 of 2015.
Date of Decision : 21.05.2015.

Kamaljeet Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. A.S. Kakkar, Advocate for the petitioners.

Mr. Mikhail Kad, Assistant Advocate General, Punjab.

Tejinder Singh Dhindsa, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 15, dated 03.11.2011, under Sections 66-A and 66-D of Information Technology Act, 2000 and Sections 419, 506, 34 IPC, registered at Police Station Cyber Crime, SAS Nagar, Mohali on the basis of a compromise.

Since quashing of the FIR was sought on the basis of compromise, this Court while issuing notice of motion on 02.03.2015, had directed the parties to appear before the trial Court on 08.04.2015 for recording of their statements and a report as regards veracity of the compromise had been called for.

Placed on record is a report dated 09.04.2015 of the Chief Judicial Magistrate, Mohali and a perusal of the same would reveal that the statements of the complainant, namely, Iqbal Singh as also of the accused i.e. the petitioners herein have been duly recorded and it has been opined that a compromise has been effected between the parties

voluntarily and without any pressure.

Learned State counsel has filed in Court today, an affidavit dated 19.05.2015 of the Deputy Superintendent of Police, State Cyber Crime, S.A.S. Nagar and a perusal of the same would reveal that the petitioners are not, otherwise, involved in any other criminal proceedings. Accordingly, it would be a fit case for this Court to intervene in exercise of its powers under Section 482 Cr.P.C. to bring to an end the criminal prosecution initiated in the light of the impugned FIR.

Accordingly, the present petition is allowed. Impugned FIR No. 15, dated 03.11.2011, under Sections 66-A and 66-D of Information Technology Act, 2000 and Sections 419, 506, 34 IPC, registered at Police Station Cyber Crime, SAS Nagar, Mohali and all proceedings emanating therefrom stand quashed.

Petition allowed.

May 21, 2015.
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(TEJINDER SINGH DHINDSA)
JUDGE