

CRM No. M-13347 of 2017(O&M)

1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No. M-13347 of 2017(O&M)
Date of Decision : 25.10.2017

Hemant Kataria

...Petitioner

versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Dhawaljeet Dutt, Advocate for the petitioner.

Mr. Sandeep Virmani, Additional Advocate General,
Punjab.

Mr. Vikas Sonak, Advocate for
Mr. Deepak Sonak, Advocate
for respondents No. 2 and 3.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking quashing of FIR No. 96 dated 10.07.2016, under Sections 354A, 506, 120-B IPC and Sections 66E, 67 of Information Technology Act (Sections 354, 354(D) and 201 IPC added later on), registered at Police Station Jamalpur, District Ludhiana and all subsequent proceedings arising therefrom, on the basis of compromise dated 30.03.2017 (Annexure P-2), arrived at between the parties.

Learned counsel for the petitioners contends that the FIR is outcome of a misunderstanding between the parties, which has now been resolved and the matter has been compromised.

A coordinate Bench of this Court vide order dated

25.07.2017 had directed the parties to appear before the trial Court/Ilalaqa Magistrate for recording their statements with regard to the genuineness of compromise. The report of the Judicial Magistrate Ist Class, Ludhiana, dated 10.08.2017 has been received, wherein it is stated that in pursuance to the order of this Court, the statements of the parties were recorded, which indicates that they have entered into compromise voluntarily and without any pressure or coercion.

The FIR is outcome of a misunderstanding between the parties. The matter has now been compromised and the parties want to live in peace and harmony.

In view of the law laid down in "*Narinder Singh Vs. State of Punjab*" 2014 (6) SCC 466 and *Shiji @ Pappu and others Vs. Radhika and another(supra)*, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No. 96 dated 10.07.2016, under Sections 354A, 506, 120-B IPC and Sections 66E, 67 of Information Technology Act (Sections 354, 354(D) and 201 IPC added later on), registered at Police Station Jamalpur, District Ludhiana and all consequential proceedings arising therefrom, are hereby quashed qua the petitioner only.

(ANUPINDER SINGH GREWAL)
JUDGE

October 25, 2017
kanchan

<i>Whether speaking/reasoned?</i>	<i>Yes</i>
<i>Whether reportable?</i>	<i>No</i>