

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

240

CRM-M-25618-2016

Date of Decision: 16.11.2017.

Arjun Bedi

....Petitioner.

Versus

State of Punjab and another

....Respondents.

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Aayush Gupta, Advocate for the petitioner.

Ms. Bhavna Gupta, Deputy Advocate General, Punjab.

Ramendra Jain, J.(Oral)

Through this petition under Section 482 of the Code of Criminal Procedure, prayer has been made for quashing F.I.R. No.62 dated 15.07.2016 system date 16.07.2016 registered under Sections 63 & 63-B of the Copy Rights Act, 1957, at Police Station Derasi, District Police Commissionerate, on the basis of compromise dated 16.07.2016 (Annexure-P3).

On presentation of the petition, vide order dated 08.09.2017 passed by this Court, the parties were directed to appear before the trial Court/Illaq Magistrate for recording their statements with a direction to the trial Court/Illaq Magistrate to furnish a report qua veracity thereof, if any, between the parties.

Consequently, the parties had appeared before the Judicial Magistrate Ist Class, Ludhiana on 25.09.2017 and got recorded their statements. Report from the concerned Magistrate has been received vide

letter No.469 dated 27.09.2017 duly forwarded by learned District and Sessions Judge, Ludhiana vide letter No.1947/EC dated 28.09.2017.

According to the report of Judicial Magistrate Ist Class, Ludhiana, the compromise between the parties is genuine and without any pressure or undue influence.

For facility of reference, reliance can be placed upon the decision rendered by the Delhi High Court in **Devender Bansal and another vs. State (Net of Delhi) and another, (Crl. M.C. 2059/2016)** decided on 12.08.2016, wherein F.I.R. No.99 dated 18.03.2004 registered under Section 63 of the Copy Right Act, at Police Station Adarsh Nagar was quashed holding that “In the light of the aforesaid, this court is of the view that notwithstanding the fact that the offence under Section 63 Copy Right Act is a non-compoundable offence, therefore, there should not be impediment in quashing the FIR under this Section, if the court is otherwise satisfied that the facts and circumstances of the case so warrant”.

In view of the totality of the facts and circumstances and considering the fact that the compromise will bring harmony in relations between the parties, the present petition is accepted and the aforesaid F.I.R. No.62, is quashed qua the petitioner.

(RAMENDRA JAIN)
JUDGE

16.11.2017
jitender sharma

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No