

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

CRM-M No.7841 of 2017 (O&M)

Date of decision: 18.05.2018

Krishan Kumar Sharma

...Petitioner

VERSUS

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Sanjeev Bishnoi, Advocate for
Mr. Dhivya Jerath, Advocate
for the petitioner.

Mr. Ashok Muthreja, DAG, Haryana.

Mr. Bhriagu Agnihotri, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioner has prayed for quashing of FIR No.84 dated 09.06.2016 for offence punishable under Section 420 of the Indian Penal Code (for short 'IPC') and Sections 66(A), 66(D) and 72 of Information Technology Act, 2000, registered at Police Station Sector 20, Panchkula and subsequent proceedings arising therefrom on the basis of compromise dated 21.02.2017 (Anneuxre P-2).

In the present case, the FIR was registered on the statement of Devrat Sharma son of Deepak Sharma. Now, dispute between the parties has been resolved.

Vide order dated 12.02.2018, the parties were directed to appear before the trial court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Judicial Magistrate Ist Class, Panchkula through the District and Sessions Judge, Panchkula wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is genuine, valid as it is not the result of any undue influence or pressure in any manner.

Counsel for the State as well as respondent No.2 have not disputed that the parties i.e. petitioner, respondent No.2 (complainant) have arrived at a settlement with an intent to give burial to their differences.

Perusal of allegations in the FIR reveals that the present case squarely falls in the category of cases that can be quashed by the High Court, in exercise of its inherent power under Section 482 Cr.P.C. Keeping in view authoritative enunciation of law laid down by Hon'ble the Supreme Court in **'Gian Singh v. State of Punjab and another', 2012 (4) R.C.R. (Criminal) 543** and in the light of facts and circumstances discussed hereinbefore, this Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that the same are put to an end.

For the foregoing reasons, the petition is allowed, FIR No.84 dated 09.06.2016 for offence punishable under Section 420 IPC and Sections 66(A), 66(D) and 72 of Information Technology Act, 2000, registered at Police Station Sector 20, Panchkula and proceedings emanating therefrom stand quashed qua the petitioner.

May 18, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned : yes/no
Whether reportable : yes/no