

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

280

CRM-M-30604-2019(O&M)

Date of Decision:28.11.2019

Pramil Kumar

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Mr. V.P. Sangwan, Advocate for
Ms. Anu Bala Garg, Advocate,
for the petitioner.**

Ms. Priyanka Sadar, AAG, Haryana.

**Mr. Sumit Sangwan, Advocate,
for respondent No.2.**

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.0004 dated 27.02.2019 under Section 67(A) of the Information & Technology Act, 2000 and Sections 354, 506 IPC, registered at Women Police Station Charkhi Dadri, District Charkhi Dadri(Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise dated 09.07.2019(Annexure P-2).

Learned State Counsel submits that during the course of investigation, offence under Section 354 IPC has been deleted, whereas offence under Section 354-D has been added in the case.

Vide order dated October 31, 2019, the complainant-respondent

No.2 was directed to remain present in the Court.

Pursuant thereto, the parties are present in the Court. They have been interacted.

Learned counsel for the parties, on instructions from their clients who are present in the Court, submit that the parties are staying together as husband and wife and as on date, there is no dispute between them.

This Court vide order dated 19.07.2019 had directed the parties to appear before the trial Court/Illaqa Magistrate to get their statements recorded and the learned trial court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate 1st Class, Charkhi Dadri and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 29.08.2019 to the effect that the matter has been compromised between the parties.

Respondent No.2-complainant, namely, Anju Kumari, has made a statement with regard to compromise before learned Magistrate on 26.08.2019 to the effect that they have compromised the matter with their free will and without any pressure. She has no objection if the FIR in question registered against the petitioner-accused is quashed.

Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Thus, following the principles laid down by the Full Bench

Punjab and another 2007 (3) RCR (Criminal) 1052, as approved by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and FIR No.0004 dated 27.02.2019 under Section 67(A) of the Information & Technology Act, 2000 and Sections 354-D, 506 IPC (the offence under Section 354 IPC has been deleted during the course of investigation), registered at Women Police Station Charkhi Dadri, District Charkhi Dadri(Annexure P-1) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioner on the basis of compromise dated 09.07.2019(Annexure P-2)

November 28, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No