

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

CRM-M-29661-2020 (O&M)

Date of Decision: 27.10.2020

Gaurav

... Petitioner

Versus

State of Punjab & another

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Ms. Poonam Verma, Advocate for the petitioner.

Mr. A.S. Sandhu, Additional Advocate General, Punjab.

Ms. Amarinder Kaur, Advocate for respondent No.2.

....

TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.61, dated 30.05.2018, under Sections 295-A/153-A IPC, registered at Police Station City-II, Malerkotla, District Sangrur on the basis of a compromise dated 09.06.2020 (Annexure P-2) which as per counsel was entered into with respondent No.2.

Counsel for the parties have been heard at length.

Suffice it to notice that FIR has been registered on the allegations that an obscene message has been sent from the mobile number of the petitioner on a whatsapp group in which the complainant was a member. It was asserted that on account of the message having been circulated, religious feelings have been hurt. In brief, message was pertaining to Hazrat Mohd. and Bibi Fatima.

Since an advance copy of the petition has already been served upon the State of Punjab, Mr. A.S. Sandhu, learned Additional Advocate General, Punjab upon instructions from ASI Harpreet Singh informs the Court that prior to registration of the FIR, a complaint/representation had been forwarded by a number of persons belonging to Muslim Bhaichara in which also, it had been asserted that the religious sentiments had been hurt. Learned State counsel further apprises the Court that the matter is now pending with the State of Punjab for prosecution sanction.

In view of the above, this Court is not inclined to entertain the instant quashing petition merely on the basis of a compromise that may have been entered into by the petitioner with respondent No.2 in isolation.

No intervention is called for.

Petition is dismissed.

It is, however, clarified that this Court has not examined the case on merits.

27.10.2020

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |