

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M- 25353-2021 (O&M)

Date of Decision: 06.09.2021

Gurwinder Singh and others

... Petitioners

VERSUS

State of Punjab and another

.... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present Mr. K. S. Lakhanpal, Advocate for
Mr. Maninder Singh Bajwa, Advocate
for the petitioners.

Ms. Mahima Yashpal, DAG, Haryana
for respondent No.1 -State.

Mr. Amritpal Singh Sohal, Advocate for
Mr. Paras Jagga, Advocate
for respondent No. 2.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 26 dated 25.09.2020 under Sections 354-D IPC and Section 67 of Information Technology Act, 2000 registered at Police Station Punjab State Cyber Crime Police Station SAS Nagar, District SAS Nagar, Mohali and all subsequent proceedings arising therefrom in view of the compromise.

The FIR has been registered on the statement of respondent No.2 that the petitioners herein tried to defame her and also abused her

through electronic media. Now with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before the trial court/Illaqa Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from Judicial Magistrate 1st Class, SAS Nagar Mohali stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

Learned State counsel, on instructions from the Investigating Officer admits the factum of compromise and submits that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the FIR, in view of the law laid down by the Hon'ble Supreme Court.

I have heard learned counsel for the parties and have gone through the record.

In a decision, based on compromise, none of the parties is a loser. Rather, a compromise not only brings peace and harmony between the parties to a dispute, but also restores tranquility in the society. After considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the chances of ultimate conviction are bleak.

Consequently, keeping in view the fact that the dispute has

been amicably settled and in view of the law laid down by the Hon'ble Supreme Court in **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466**, this petition is allowed and FIR No. 26 dated 25.09.2020 under Sections 354-D IPC and Section 67 of Information Technology Act, 2000 registered at Police Station Punjab State Cyber Crime Police Station SAS Nagar, District SAS Nagar, Mohali and all subsequent proceedings arising out of the same are quashed qua the petitioners herein.

06.09. 2021

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(JAISHREE THAKUR)

JUDGE

Whether speaking/reasoned

Whether reportable

Yes

No