

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

(Sr. No. 213)

CRM-M No. 35030 of 2021

Date of decision : 26.11.2021

Amit Agarwal

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Arjun Kundra, Advocate for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

Mr. Dushyant Sarvesh, Advocate for

Mr. Shekhar Verma, Advocate for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 0381 dated 02.08.2021 registered under Sections 379, 408, 120-B IPC and Section 66(C), 72, 72A of Information Technology Act, 2000, at Police Station City Barnala, district Barnala on the basis of a compromise dated 19.08.2021 (Annexure P-2) entered into between the parties.

On 27.08.2021, this Court had directed the parties to appear before the Illaqa Magistrate/trial Court on 06.09.2021 for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise between the parties as also to apprise this

Court whether P.O. proceedings are pending against any of the party.

As directed, report dated 19.10.2021 from the Chief Judicial Magistrate, Barnala has been received, as per which the parties had recorded their statements before the trial Court in terms of the compromise arrived at between them and that no proclamation proceedings are pending against the petitioner.

Learned State counsel has also raised no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR, in which the offences are not heinous; the matter is at the stage of investigation and having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Full Bench of this Court in ***Kulwinder Singh and others Vs. State of Punjab and others, 2007 (3) RCR (Criminal) 1052***, this Court deems it just and proper to allow the petition and resultantly quash FIR No. 0381 dated 02.08.2021 registered under Sections 379, 408, 120-B IPC and Section 66(C), 72, 72A of Information Technology Act, 2000, at Police Station City Barnala, district Barnala and all proceedings arising therefrom qua the petitioner.

26.11.2021

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No