

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

Sr. No.287

CRM-M-7458 of 2022

Date of Decision: 17.08.2022

Harjit Singh

.....Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Vinay Kumar, Advocate for the petitioner.

Mr. Sidakmeet Singh Sidhu, AAG, Punjab.

Mr. Sukhman Singh, Advocate for respondent No.2.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of FIR No.76 dated 15.05.2020, registered under Sections 67 and 67-A of Information technology Act, 2000 at P.S.Dhariwal, District Gurdaspur and all subsequent proceedings arising therefrom, on the basis of compromise dated 16.12.2020 (Annexure P-2) arrived at between the parties.

Vide order dated 04.03.2022 this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded in terms of certain parameters given in the aforesaid order dated 04.03.2022 with regard to the compromise dated 16.12.2020 (Annexure P-2).

In terms of the order dated 04.03.2022 passed by this Court, parties have appeared before the Court of Sh. Rachhpal Singh, Chief Judicial Magistrate, Gurdaspur and as per his report dated 29.03.2022 submitted to this Court, both the parties have got recorded their respective statements in Court.

Perusal of the aforesaid report would show that the parties have effected a genuine compromise without there being any pressure, coercion or undue influence. In view of the compromise, there is a remote possibility of the complainant coming forward to support the prosecution case. The powers under Section 482 Cr.PC can be exercised in such like situation in order to prevent unnecessary vagaries of criminal trial to be faced by the parties, when there are remote chances of conviction of the accused. The compromise in question is found to be fully in consonance with the direction issued by the Court in **Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052** and **Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543.**

In view of the aforesaid report of the learned Chief Judicial Magistrate, Gurdaspur accompanied by statements of both the parties, the FIR No.76 dated 15.05.2020, registered under Sections 67 and 67-A of Information technology Act, 2000 at P.S.Dhariwal, District Gurdaspur and all subsequent proceedings arising therefrom, are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

17.08.2022
Maninder

Whether Speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No