

VIKAL PACHAR

....Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Paramjit Singh Jammu, Advocate
for petitioner.Ms. Mahima Yashpal, DAG, Haryana,
for respondent No.1.SUVIR SEHGAL J. (ORAL)

Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (for short “the Code”) seeking quashing of FIR No.135 dated 27.08.2019 under Section 67 of Information Technology Act, 2000 and Section 354-D of the Indian Penal Code, 1860, registered at P.S. Nathusarai Chopta, District Sirsa (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 06.08.2022 (Annexure P-2).

Notice of motion.

On asking of the Court, Ms. Mahima Yashpal, DAG, Haryana accepts notice on behalf of State-respondent No.1. Upon instructions from ASI, Krishan, she submits that the complainant has been examined and has supported the case of the prosecution. She has also referred to the objectionable messages, which have been sent by the petitioner.

Mr. Santosh Kumar Yadav, Advocate accepts notice and has put in appearance on behalf of respondent No.2. He has filed his 'Vakalatnama', which

is taken on record.

Heard counsel for the parties.

This Court has examined the messages, allegedly, sent by the petitioner to the complainant which are outrageously obscene and an insult to the dignity of the married complainant.

Keeping in view the nature of accusation against the petitioner and the judgments of the Hon'ble Supreme Court in *The State of Madhya Pradesh Vs. Laxmi Narayan and others 2019(5) SCC 688* and *Daxaben Versus State of Gujarat & Others 2022 SCC online SC 936*, prayer made in the petition cannot be entertained.

Petition is dismissed.

It is clarified that nothing said hereinabove shall be construed to be an expression of opinion on the merits of the case.

August 16, 2022
sonia

(SUVIR SEHGAL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No