

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

CRM-M-8173-2020(O&M)

Date of Decision:-26.04.2023

Tarsem Singh.

.....Petitioner.

Vs.

State of Haryana & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Paramjit Singh Jammu, Advocate for the Petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

Mr. Santosh Kumar Yadav, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

CRM-18331-2023

Allowed as prayed for.

Additional affidavit of the petitioner dated 24.04.2023 is taken on record as Annexure P-4. Registry is directed to place the same at appropriate place and paginate the paper book accordingly.

CRM-M-8173-2020

The prayer in this petition is for quashing of FIR No.1260 dated 28.12.2018 (Annexure P-1) under Sections 153, 153-A IPC and Section 66 of the Information Technology Act registered at P.S. City Sirsa and all consequential proceedings arising therefrom on the basis of compromise dated 30.09.2019 (Annexure P-2) arrived at between the parties.

Vide order dated 18.04.2022 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 18.04.2022 with regard to the compromise dated 30.09.2019 (Annexure P-2).

In terms of the order dated 18.04.2022 passed by this Court parties have appeared before the court of Mr. Himanshu Singh, Chief Judicial Magistrate Ist Class, Sirsa and as per report dated 01.04.2023 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 addition the petitioner has filed an affidavit of apology (Annexure P-4) wherein besides furnishing an unconditional apology, eh has undertaken that in future he shall not commit or repeat any such mistake or act.

In view of the aforesaid report of the learned Chief Judicial Magistrate Ist Class, Sirsa accompanied by statements of both the parties and the affidavit Annexure P-4 the FIR No.1260 dated 28.12.2018

(Annexure P-1) under Sections 153, 153-A IPC and Section 66 of the Information Technology Act registered at P.S. City Sirsa and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

April 26, 2023
Vinay

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