

266 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-14048-2023

DATE OF DECISION:-27.04.2023

Daljit Singh

...Petitioner.

vs.

State of Punjab and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Gobind Singh Randhawa, Advocate for the petitioner.

Mr. Vinay Kumar Gupta, AAG, Punjab.

Mr. Ranjot Singh, Advocate for
Mr. A.S. Nahar, Advocate,
for respondent No.2.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioner prays for quashing of FIR No.0194, dated 23.11.2019, under Sections 292, 500 IPC and under Sections 67, 67(a) of the Information Technology Act, 2000, registered at Police Station City Gurdaspur, District Gurdaspur (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 11.03.2023 (Annexure P-2).

2. As per the allegations in the FIR, the petitioner uploaded photo of the complainant with some objectionable girl, which went viral on whatsapp groups, to spoil the political image, he being younger brother of MLA.

3. In pursuance to order dated 20.03.2023 passed by this Court, whereby the parties were directed to appear before the trial court for getting

their statements recorded as regards the veracity of compromise arrived at

between them, a report dated 15.04.2023 has been received from the concerned court, stating that the compromise is genuine, without any pressure or undue influence. There is only one accused, namely, Daljit Singh (present petitioner) and one complainant. No accused has been declared as proclaimed offender.

4. Thus once, the compromise has been arrived at between the parties without any pressure and respondent No.2 having no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner; there does not appear to be any impediment as regards quashing of present FIR qua the petitioner. Even otherwise, in order to maintain peace and harmony between the parties, particularly under the circumstances wherein the alleged offences have no societal interest involved, it would be appropriate to render complete quietus to the aforementioned dispute by quashing the FIR on the basis of compromise entered into between the parties.

5. The parties having settled their dispute so as to live in peace in future, no useful purpose would be served by proceeding further with the criminal proceedings. In the light of above developments, no cause remains for the trial Court to invest further time and effort in adjudicating this FIR. The compromise in question is even 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.***

6. Thus, in view of the aforesaid report, accompanied by statements of both the parties as well as keeping in mind the law laid down in the

aforementioned judgments, the FIR No.0194, dated 23.11.2019, under Sections 292, 500 IPC and under Sections 67, 67(a) of the Information Technology Act, 2000, registered at Police Station City Gurdaspur, District Gurdaspur (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioner.

7. Accordingly, petition stands allowed subject to payment of costs of Rs.2,000/- to be deposited with the Punjab and Haryana High Court Bar Clerk's Association, within a period of two weeks from today.

27.04.2023
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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No