

CRM-M-15990-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(244)

CRM-M-15990-2023
Date of Decision:- 14.07.2023

Pushp

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Ranbir Singh Pathania, Advocate
for the petitioner.

Mr. A.P.S.Tung, DAG, Punjab
for State-respondent No.1.

SUVIR SEHGAL, J. (Oral)

1. Mr. Randhir Singh Manhas, Advocate has put in appearance on behalf of respondents No.2 and 3 and has filed Power of Attorney, which is taken on record.

2. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.68 dated 30.05.2017, registered for offences under Sections 66-E and 67 of the Information Technology Act, 2000 and Sections 417, 465, 468, 471, 201, 500, 509 and 120-B of the Indian Penal Code, 1860, at Police Station Division No.6 Jalandhar, District Jalandhar, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 13.03.2023, Annexure P-5, arrived at between the parties.

3. Pursuant to order dated 10.04.2023 passed by this Court, report has been received from the Trial Court, relevant extract of which is as under:-

“(1) It is respectfully submitted that as per the statement of Investigating Officer there are three persons namely Pushp, Karan Dhingra and Gauri Chatarh arrayed as accused in the present FIR.

(2) It is respectfully further submitted that as per the statement of I.O. none of the above named accused is declared proclaimed offender.

(3) It is respectfully further submitted that in view of statements given by the parties this Court is of the considered opinion that compromise effected between the parties is genuine and it is effected voluntarily without any pressure, coercion or undue influence from any quarter.

(4) It is respectfully further submitted that as per the information given by investigating officer, accused persons are not involved in any other FIR.

(5) It is respectfully further submitted that as per the statement of investigating officer, in the present FIR there is one complainant and one victim.”

4. Counsel representing respondents No.2 and 3 does not have any objection in case the compromise is given effect to.

5. Heard counsel for the parties.
6. Dispute has been amicably resolved amongst the parties with the intervention of the respectables by virtue of compromise, Annexure P-5.
7. In view of the report given by the Trial Court and the judgment of the Supreme Court in *Gian Singh Versus State of Punjab and another, 2012(4) RCR (Criminal) 543* and a Full Bench of this Court in *Kulwinder Singh vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, this Court is of the view that keeping the criminal proceedings alive would not serve any purpose and setting them aside would enable the parties to lead a harmonious and peaceful life.
8. Accordingly, the petition is allowed. FIR No.68 dated 30.05.2017, registered for offences under Sections 66-E and 67 of the Information Technology Act, 2000 and Sections 417, 465, 468, 471, 201, 500, 509 and 120-B of the Indian Penal Code, 1860, at Police Station Division No.6 Jalandhar, District Jalandhar, Annexure P-1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioner.

(SUVIR SEHGAL)
JUDGE

14.07.2023
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No