

CRM-18222-2023 in/and
CRM-M-16217-2023

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111 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-18222-2023 in/and
CRM-M-16217-2023
DATE OF DECISION:-28.04.2023

Deepanshu Verma and others

...Petitioners.

VS.

State of Haryana and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Gautam Diwan, Advocate,
for the petitioners.

Mr. Sumit Jain, Additional A.G., Haryana.

Mr. Randeep S. Dhull, Advocate for
Mr. Sanjeev Majra, Advocate,
for respondent No.2.

HARKESH MANUJA, J.

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Prayer in this application is for preponing the date of hearing of
the main case, which is fixed for 15.05.2023.

Heard.

For the reasons mentioned in the application, duly supported by
an affidavit, the same is allowed and date of hearing of the main case is
preponed from 15.05.2023 to today itself i.e. 28.04.2023 for hearing.

CRM disposed of.

Main case

1. By way of present petition under Section 482 Cr.P.C., the
petitioners pray for quashing of FIR No.0029, dated 01.03.2023, under

Section 85 of the Information and Technology Act, 2000 and Sections 43-A, 66, 66-C, 66-D of Information Technology (Amendment) Act, 2008 and Sections 419, 420, 465 IPC, registered at Police Station Cyber Crime Police Station, Gurugram, District Gurugram (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise deed dated 20.03.2023 (Annexure P-2).

2. At the very outset, learned counsel for the petitioners prays for withdrawal of the present petition qua petitioners No.2 and 3 as their statements could not be recorded, with liberty to approach this Court again, in case any fresh settlement is arrived at between petitioners No.2, 3 and the complainant, at a later stage.

3. In view thereof, petition qua petitioners No.2 and 3 is dismissed as withdrawn with liberty as prayed for.

4. As per the allegations in the FIR, petitioners cheated the complainant for a huge sum of Rs.1,37,00,000/- by impersonating themselves as trader of Crypto trading, stock market trading, forex and international share market.

5. In pursuance to order dated 29.03.2023 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 between the parties in question appears to have been entered into voluntarily without any pressure or inducement and no such material is available on record which can reflect that the compromise has been effected under fear, threat, pressure or

coercion. Accused-petitioners No.1, 4 to 13 have not been declared as proclaimed offender.

6. Thus once, the compromise has been arrived at between the parties without any pressure and respondent No.2 has no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against petitioners No.1, 4 to 13; there does not appear to be any impediment as regards quashing of present FIR qua petitioners No.1, 4 to 13. 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.

7. 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.***

8. Further, learned counsel for petitioners No.1, 4 to 13, while placing reliance upon the judgments passed by the Hon'ble Supreme Court in ***Jayrajsinh Digvijaysinh Rana Vs. State of Gujarat and another, 2012(4) R.C.R. (Criminal) 589*** and this Court in ***Joginder Singh & another Vs. State of Punjab and another***, passed in CRM-M-23739- 2010

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decided on 27.04.2011, *Rajinder Singh Vs. State of Punjab & another*, passed in *CRM-M- 37395-2016* decided on 16.05.2017 and *Vimal Kalra & others Vs. State of Punjab & another*, passed in *CRMM-20355-2022*, decided on 25.07.2022 submits that partial quashing of the FIR is possible on the basis of a compromise.

9. 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.0029, dated 01.03.2023, under Section 85 of the Information and Technology Act, 2000 and Sections 43-A, 66, 66C, 66D of Information Technology (Amendment) Act, 2008 and Sections 419, 420, 465 IPC, registered at Police Station Cyber Crime Police Station, Gurugram, District Gurugram (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed qua petitioners No.1, 4 to 13.

10. Accordingly, petition stands allowed qua petitioners No.1, 4 to 13, subject to payment of costs of Rs.50,000/- to be deposited by them with the Punjab and Haryana High Court Bar Association within a period of two weeks from today.

28.04.2023

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(HARKESH MANUJA)
JUDGE

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