

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

**CRM-M No.17852 of 2023
Date of Decision: 12.09.2023**

Baljit Singh Virk @ Bali

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: *HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA*

Present:- Mr. Prateek Pandit, Advocate
for the petitioner.

Mr. Virat Rana, AAG, Punjab
for respondent No.1-State.

Mr. Nitin Rampal, Advocate appearing for
Mr. Barjinder Singh, Advocate
for respondent No.2.

MEENAKSHI I. MEHTA, J. (Oral)

By way of the instant petition, the petitioner has prayed for the quashing of FIR No.158 dated 28.05.2020 registered at Police Station Sultanpur Lodhi, District Kapurthala, under Sections 354-A, 354-B & 509 IPC and Section 67 of the Information Technology Act, 2000, along-with all the consequential proceedings arising therefrom, while averring that the parties have arrived at a compromise qua their dispute, culminating in the registration of the said FIR.

2. Bereft of unnecessary details, the allegations, as levelled by respondent No.2-complainant in the subject FIR, are that the petitioner had

been sending obscene, threatening and defamatory 'WhatsApp' messages to her from different mobile-phone numbers.

3. Vide the order dated 13.04.2023 as passed by the Co-ordinate Bench, the parties were directed to appear before the concerned Illaqa/Duty Magistrate on 15.05.2023 for recording their statements in respect of the afore-referred compromise and in compliance of this order, learned Sub Divisional Judicial Magistrate, Sultanpur Lodhi, recorded their (parties') statements and has submitted her report (as already available on the file), while mentioning therein that the parties have affected the compromise out of their free will and without any pressure or coercion and the same is genuine and is not the result of any threat or undue influence in any manner and that as per the statement of the Investigating Officer, DSP Surinder Chand, only one person, i.e the petitioner, had been arraigned as the accused in the criminal case under reference and he has not been declared proclaimed person in this case or any other case nor any such proceedings are pending against him. The copies of the statements of the petitioner, respondent No.2-complainant and the above-named Investigating Officer, have also been annexed with the said report.

4. I have heard learned counsel for the petitioner as well as learned State counsel and learned counsel appearing for respondent No.2 in the present petition and have also perused the file carefully.

5. The afore-mentioned compromise has been affected to put the dispute between the parties at rest for all times to come and it being so, there are bleak chances of the conviction of the petitioner and in these

circumstances, the continuation of the proceedings in the case arisen out of the subject FIR, would be an exercise in futility.

6. Keeping in view the above-discussed facts and circumstances and also the observations as made by Hon'ble the Supreme Court in **Gian Singh Versus State of Punjab and another (2012) 4 RCR (Criminal) 543,** the FIR bearing No.158 dated 28.05.2020 as registered at Police Station Sultanpur Lodhi, District Kapurthala, under Sections 354-A, 354-B and 509 IPC and Section 67 of the Information Technology Act, 2000 as well as all the consequential proceedings arising therefrom (if any), are hereby quashed. The petition in hand stands allowed accordingly.

12.09.2023
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: Yes
Whether Reportable: No