

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

247

CRM-M-31873 of 2022

Date of Decision: 01.02.2023

Yogesh Nagar

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Sanjiv Kumar Yadav, Advocate for
Mr. Pankaj Garg, Advocate for the petitioner.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Shadab Ahmad, Advocate for respondent No.2.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.01 dated 05.02.2015 registered under Sections 66-A, 66-D & 67-A of Information Technology Act, 2000 registered at Police Station Punjab State Cyber Crime, District SAS Nagar, and all subsequent proceedings arising therefrom on the basis of compromise dated 14.07.2022 as (Annexure P-2).

This Court vide order dated 25.07.2022 had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before Learned Judicial Magistrate 1st Class, SAS Nagar, Mohali and got their statements recorded. On the basis of the statements so

recorded, Learned Magistrate has submitted report dated 23.08.2022 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and F.I.R. No.01 dated 05.02.2015 registered under Sections 66-A, 66-D & 67-A of Information Technology Act, 2000 registered at Police Station Punjab State Cyber Crime, District SAS Nagar and all subsequent proceedings arising therefrom on the basis of compromise dated 14.07.2022 as (Annexure P-2), are quashed.

February 01, 2023

Neetika Tuteja

(DEEPAK GUPTA)

JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No