

273 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:114373
CRM-M-33364-2023
Date of Decision: August 31, 2023

Umesh Duggal and others ...Petitioners

Versus

State of Haryana and another ... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Ankit Chahal, Advocate for the petitioners.
Mr. Parveen Kumar Aggarwal, DAG, Haryana.
None for respondent No.2.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is to quash F.I.R. No.01 dated 17.07.2022, registered under Sections 120-B, 406, 419, 420 and 506 of IPC (Sections 386, 467, 468, 471 IPC, besides Section 66-D of the Information Technology Act, 2000 added later on) at Police Station Cyber Sonipat, District Sonipat and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated 17.07.2023 had directed the parties to appear before the Trial Court/Illaq Magistrate to get their statements recorded and the learned Magistrate was directed to send his/her report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate 1st Class, Sonipat and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 09.08.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

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Statement of Respondent No.2-complainant, namely, Aakansha Narvan, was recorded with regard to compromise before learned Magistrate on 31.07.2023.

Learned State counsel has not disputed the factum of compromise effected 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 17.07.2022, registered under Sections 120-B, 406, 419, 420 and 506 of IPC (Sections 386, 467, 468, 471 IPC, besides Section 66-D of the Information Technology Act, 2000 added later on) at Police Station Cyber Sonipat, District Sonipat and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2), are hereby quashed.

August 31, 2023

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(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No