

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

**CRM-M-42088-2021(O&M)
Date of Decision: May 25, 2023**

RANA RANDEEP

..... Petitioner

Versus

STATE OF HARYANA AND ANOTHER

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Jivesh Malik, Advocate for the petitioner.
Mr. Gaurav Bansal, DAG, Haryana.

Mr. R.D. Gupta, Advocate for respondents No.2 and 3.

Mr. Pardeep Virk, Advocate for
accused-Anchal Dhawan.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition under Section 482 Cr.P.C., the petitioner prays for quashing of FIR No.34 dated 29.02.2020 (Annexure P1) under Sections 408 and 420 IPC & Section 66-B of Information Technology Act, 2000 registered at Cyber Crime Cell, Police Station Gurugram Haryana along with all consequential proceedings arising therefrom qua the petitioner on the basis of compromise.

2. As per the allegations levelled in the FIR, the petitioner and two other accused namely Anchal Dhawan and Sugandh Dixit tendered resignations through E-mail at the same time while taking advantage of proprietary material accessed without due authorization.

3. In pursuance to an order dated 28.03.2023 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 the compromise arrived at between them, a report dated 10.05.2023 has

been received from the concerned court, stating that the compromise between the parties is valid, genuine, voluntary and without any coercion or undue influence. In the present case, FIR in question was registered against three persons namely Anchal Dhawan, Sughand Dixit and the present petitioner. As per the report dated 10.05.2023 received from the trial Court, the settlement has been arrived at between all the parties i.e. three accused including the petitioner and the private respondents, though, the present petition has been filed on behalf of one of the accused i.e. Rana Randeep only. Although the report in pursuance to the last order was not received by this Court, yet the same was called upon from the Court below today itself through e-mail by the concerned branch and print out of the same shall form part of the records of this case, a perusal of which shows that the matter has been compromised between the parties.

4. Thus once, the compromise has been arrived at between the parties without any pressure and respondents No.2 has no objection as regards quashing of FIR as well as all other subsequent proceedings having settled with all the accused as per report; the dispute purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. He also submits that even, 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.

5. On the other hand, learned State counsel submits that allegations in the present FIR are of serious nature and he opposes the prayer made in the petition.

6. I have heard learned counsel for the parties and gone through the records including the report dated 10.05.2023. Though, the present petition has been filed on behalf of Randeep Rana, however, considering the fact that all the parties have already settled their differences; and their statements in this regard have also been recorded, and the said factum has been admitted by learned counsel for respondents No.2 and 3, no useful purpose would be served by proceeding further with the criminal proceedings against them. 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 directions issued by this 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.***

7. 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 as well as the judgment of the Hon'ble Apex Court in "**State of U.P. vs. R.K. Srivastava** reported as **1989(4) SCC-59**" wherein it has been observed that if allegations are same against all the accused and after perusing the FIR, no offence is made out, the same needs to be quashed not only qua the one who has approached the Court but also qua others who have not approached;

but are similarly situated. Consequently, the petition is allowed and the FIR No.34 dated 29.02.2020 (Annexure P1) under Sections 408 and 420 IPC & Section 66-B of Information Technology Act, 2000 registered at cyber crime cell, police station Gurugram Haryana along with all consequential proceedings arising therefrom, are hereby quashed, however, subject to payment of cost of Rs.20,000/- each to be deposited by all the three accused separately with Legal Services Authority, Gurugram within a period of two weeks from today.

25.05.2023
tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>

