

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

245

CRM-M-42492-2021

Date of Decision: December 20, 2023

Mohit**.....Petitioner(s)****Vs.****State of Haryana and others****.....Respondent(s)****CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. Parminder Singh, Advocate for the petitioner(s).

Mr. Vikas Bhardwaj, AAG, Haryana

Mr. Sukhdeep Singh, Advocate for respondents No.2 and 3.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.29 Dated 28.04.2021 registered under Sections 294, 506 IPC and 66 D of Information Technology (Amendment) Act, 2008, at Police Station Cyber Crime District Karnal, on the basis of compromise arrived at between the parties by way of an affidavit dated 25.09.2021 (Annexure P-2).

2. The FIR has been registered on the statement of complainant-Rishipal-respondent No.2 on the basis of making fake ID on Instagram by the accused-petitioner in the name of his daughter and used filthy language as well as threatened to insult his minor daughter in the society. However, they live in the same vicinity. Now with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

3. Reply by way of affidavit of Nayab Singh, HPS, Deputy Superintendent of Police, Women Safety, Karnal has been filed in the Court today and the same is taken on record.

4. Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before the trial court/Illaq Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction issued by this Court, a report dated 23.11.2021 has been received from Principal Magistrate, Juvenile Justice Board, Karnal, stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

5. Learned State counsel on instructions from the Investigating Officer and learned counsel for the complainant-respondent No.2 admit the factum of compromise and submit that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the FIR, in view of the law laid down by the Hon'ble Supreme Court.

6. I have heard learned counsel for the parties and have gone through the record with their able assistance.

7. In a decision, based on compromise, none of the parties is a loser. Rather, a compromise not only brings peace and harmony between the parties to a dispute, but also restores tranquility in the society. After considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the chances of ultimate conviction are bleak. A two Judge Bench of the Hon'ble Supreme Court in

Shakunta Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC

63, speaking through Justice V.R. Krishna Iyer, has held as under:-

“4.The finest hour of justice arrives propitiously when parties, despite falling apart, bury the hatchet and weave a sense of fellowship or reunion.....”

8. Consequently, keeping in view the fact that the dispute has been amicably settled and in view of the law laid down by the Hon'ble Supreme Court in **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466** and **Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834** and Full Bench of this Court in **Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (Crl.) 1052**, this petition is allowed and FIR No.29 Dated 28.04.2021 registered under Sections 294, 506 IPC and 66 D of Information Technology (Amendment) Act, 2008, at Police Station Cyber Crime District Karnal (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua petitioner.

(HARPREET SINGH BRAR)
JUDGE

December 20, 2023
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Whether speaking/reasoned:	Yes/No
Whether reportable:	No