

CRM-M-36401-2019

Date of Decision: 25.08.2023

RAJEEV CHADHA

...Petitioner

Vs.

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: Mr. Naveen Bawa, Advocate for the petitioner.
Mr. Anmol Singh Sandhu, AAG, Punjab.

SANJIV BERRY, J. (Oral)

By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioner seeks quashing of FIR (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 17.07.2019 (Annexure P-2) executed between the parties.

Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
0141	23.05.2018	63 and 65 of Copyright Act, 1957.	Daresi, District Police Commissionerate, Ludhiana.

[2]. The parties have arrived at a settlement vide compromise dated 17.07.2019 (Annexure P-2), which is duly signed by them. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Judicial Magistrate, 1st Class, Ludhiana, vide report dated 26.07.2023, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. In view of the report of the Judicial Magistrate, 1st Class, Ludhiana, and in view of the decision of the Hon'ble Supreme Court in "Gian Singh Vs. State of Punjab and another", 2012(4) RCR (Criminal) 543 and "Narinder Singh and Others Vs. State of Punjab and Another", (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioner

[4]. In the circumstances, the present petition is allowed. FIR No. 0141 dated 23.05.2018 under Sections 63 and 65 of Copyright Act, 1957, registered at Police Station Daresi, District Police Commissionerate, Ludhiana, (AnnexureP-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise *qua* the present petitioner.

(SANJIV BERRY)
(JUDGE)

25.08.2023

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