

301        IN THE HIGH COURT OF PUNJAB AND HARYANA  
              AT CHANDIGARH

CRM-M-47834-2023  
Date of decision: 07.11.2023

ANANT GUPTA AND ANR

...PETITIONERS

V/S

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Prince Goyal, Advocate for the petitioners.  
              Mr. Vipul Sherwal, AAG, Haryana.  
              Mr. Hitesh Chopra, Advocate for respondent Nos.2 & 3.

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**DEEPAK GUPTA J. (ORAL)**

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.0051 dated 23.03.2023, registered under Section 66d of Information Technology (Amendment) Act and Section 420 of IPC at Police Station Cyber Crime, District Gurugram and all subsequent proceedings arising therefrom on the basis of compromise dated 13.09.2023.

Status report dated 02.11.2023 by way of an affidavit of Vipin Ahlawat, Assistant Commissioner of Police, Cyber, Gurugram on behalf of respondent No.1-State has been filed and same is taken on record.

This Court vide order dated 21.09.2023 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 Ist Class, Gurugram and got their statements

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recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 17.10.2023 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 Nos.2 and 3 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.0051 dated 23.03.2023, registered under Section 66d of Information Technology (Amendment) Act and Section 420 of IPC at Police Station Cyber Crime, District Gurugram and all subsequent proceedings arising therefrom on the basis of compromise qua petitioners, are hereby quashed.

November 07, 2023  
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(DEEPAK GUPTA)  
JUDGE

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|------|---------------------------|--------|
| (i)  | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable        | Yes/No |