

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

257

CRM-M-51188-2022

Date of decision: 21.03.2023

SANIYA BATRA AND ANR

...Petitioner(s)

VERSUS

STATE OF HARYANA AND OTHERS

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH

Present: Ms. Meenakshi Dogra, Advocate
for the petitioner.

Mr. R.S. Nain, DAG, Haryana.

GURBIR SINGH, J. (ORAL)

This is a petition filed under Section 482 Cr.P.C. for quashing of FIR No.435/2021, dated 29.10.2021, under Sections 66C/66D of Information and Technology Act, 2000 and Section 406/420 & 120-B (added later on) of the IPC, 1860 registered at Police Station Model Town, Panipat, Haryana (Annexure P-1) and all consequential proceedings arising therefrom, on the basis of compromise-cum-settlement agreement dated 06.05.2022 (Annexure P-2), effected between the parties.

Mr. Paritosh Vaid, Advocate has appeared and filed his *vakalatnama* on behalf of respondent No.2 today in the Court and the same is taken on record.

Reply dated 17.03.2023 by way of an affidavit of Dharamvir Singh, HPS, Deputy Superintendent of Police, Head Quarters, Panipat on behalf of the respondent No.1-State has been filed today in the Court and the same is taken on record. Copy thereof has been supplied to the counsel opposite.

Learned counsel for the parties have stated that the present FIR may be quashed as the parties have amicably settled the dispute.

During the course of preliminary hearing, the trial Court was

directed to record the statements of all the concerned parties, with regard to the

genuineness and validity or otherwise of the compromise by this Court.

In compliance thereof, report dated 17.03.2023 from the Additional Chief Judicial Magistrate, Panipat has been received through the District & Sessions Judge, Panipat, with statements of the parties, in which, it has been mentioned that the compromise is genuine, voluntary and without any coercion or undue influence.

The powers under Section 482 Cr.P.C. can be exercised in such like situation in order to prevent unnecessary vagaries of criminal trial to be faced by the parties, when there are remote chances of conviction of the accused. The compromise in question is found to be fully in consonance with the direction issued by the Court in “Kulwinder Singh and others vs. State of Punjab and another”, 2007(3) RCR (Criminal) 1052 and “Gian Singh vs. State of Punjab and another”, 2012 (4) RCR (Criminal) 543.

In view of the aforesaid report of the Additional Chief Judicial Magistrate, Panipat accompanied by statement of both the parties, the instant petition is allowed. Consequently, the impugned FIR No.435/2021, dated 29.10.2021, under Sections 66C/66D of Information and Technology Act, 2000 and Section 406/420 & 120-B (added later on) of the IPC, 1860 registered at Police Station Model Town, Panipat, Haryana (Annexure P-1) and all consequential proceedings arising therefrom are hereby quashed, on the basis of compromise-cum-settlement agreement dated 06.05.2022 (Annexure P-2), qua the petitioners only.

(GURBIR SINGH)
JUDGE

21.03.2023
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