

2023:PHHC:148823
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50382-2023
Date of Decision:22.11.2023

Rohan Kumar @ Rohan Kumar Moudgill

...Petitioner

vs.

State of Punjab and Another

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Abhishek Khullar, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Kunal, Advocate for
respondent No.2.

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 07 dated 05.01.2023 under Section 406,420 of IPC and Section 66 (D) of Information Technology Act, 2000 registered at Police Station Haibowal District Ludhiana (Annexure P-2) alongwith all the consequential proceedings arising therefrom on the basis of compromise deed dated 17.08.2023 (Annexure P-1).

2. Vide order dated 06.10.2023, while issuing notice of motion, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise deed dated 17.08.2023 (Annexure P-1).

3. Pursuant to aforesaid order, the parties have appeared before the JMIC Ludhiana and got their statements recorded. Report dated 20.10.2023 has

been received whereby after recording the statements of the parties, the Court below has shown its satisfaction that the compromise is genuine, voluntary and without any coercion or undue influence.

4. I have heard counsel for the parties and gone through the case file.

5. In the light of the satisfaction shown by the Court below and considering the offence for which the accused have been charged are not of serious nature, together with the fact that compromise will go a long way in ironing out the differences for betterment of future life of the parties and also in view of the law laid down in **Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543** and **Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052**, the present petition for quashing the FIR is allowed qua the petitioner.

6. Resultantly, FIR No. 07 dated 05.01.2023 under Section 406,420 of IPC and Section 66 (D) of Information Technology Act, 2000 registered at Police Station Haibowal District Ludhiana (Annexure P-2) along with all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

22.11.2023
hitesh

(N.S.SHEKHAWAT)
JUDGE

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