

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54636-2023
DECIDED ON: 20.12.2023

SANDEEP KUMAR AND OTHERSPETITIONERS

VERSUS

STATE OF PUNJAB AND ANOTHERRESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY.

Present: Mr. A.S. Khosa, Advocate
for the petitioners.

Mr. Aditya Kapoor, AAG, Punjab.

Mr. Harpal Singh Sidhu, Advocate
for the respondent.

SANJIV BERRY, J (ORAL)

By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioners seek quashing of FIR (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise/settlement dated 25.10.2023 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
106	13.11.2020	67 of Information Technology Act, 2008	Gardiwala, District Hoshiarpur

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 25.10.2023 (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 learned Judicial Magistrate, 1st Class Dasuya, District Hoshiarpur vide report dated

18.12.2023 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure. It is also reported that in compliance to the order dated 30.11.2023, cost of Rs.5,000/- has been deposited by the petitioners.

3. Respondent No.2 is represented by his counsel and does not oppose the compromise.

4. In view of the aforesaid report of the learned Judicial Magistrate, 1st Class Dasuya, District Hoshiarpur 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 with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioners/ accused persons.

5. In the circumstances, the present petition is allowed. FIR No.106 dated 13.11.2020, under Section 67 of Information Technology Act, 2008 registered at Police Station Gardiwala, District Hoshiarpur (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

20.12.2023

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(SANJIV BERRY)
JUDGE

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