



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

268

CRM-M-4461-2024 (O&M)
Date of decision: 30.05.2024

RAHUL KUMAR ALIAS RAHUL THAKUR

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Ruhani Chadha, Advocate
for the petitioner.

Mr. D.B. Singh, Sr. DAG, Punjab.

Mr. Prikshit Thakur, Advocate for
Mr. Keshav Chadha, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN , J.

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.91 dated 15.11.2023, under Section 354-C IPC and Sections 67, 67-A, 67-D of the Information Technology Act, 2000 registered at Police Station Hajipur, District Hoshiarpur (Annexure P-1), on the basis of compromise (Annexure P-2) between the parties.

[2] Learned counsel for the petitioner *inter alia* contends that the FIR was registered at the instance of respondent No.2 due to a misunderstanding between the parties. He further contends that the matter has been settled between



the petitioner and respondent No.2 and compromise (Annexure P-2) has been executed between them, as such respondent No.2 does not want to take any action in the present FIR.

[3] Learned counsel appearing on behalf of respondents No.2 and 3 has confirmed the factum of compromise between the parties.

[4] Learned State counsel has not raised any objection regarding the acceptance of the present petition. On instructions from ASI Gurwinderjit Singh, learned State counsel has informed that there is no incriminating material on the social media.

[5] On 26.02.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[6] As per the report dated 26.04.2024 received from the Judicial Magistrate 1st Class, Mukerian forwarded through the office of District and Sessions Judge, Hoshiarpur, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as 'Proclaimed Offender'.

[7] Keeping in view the fact that the compromise between the parties is genuine and voluntarily made and in view of the ratio of the decision of Hon'ble Apex Court in **Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543** and the decision of Hon'ble the Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab and others 2007 (3) RCR (Criminal) 1052**, the ends of justice would meet if the FIR and consequential proceedings are quashed by accepting the compromise between the parties.

[8] Consequently, this petition is allowed and FIR No.91 dated



15.11.2023, under Section 354-C IPC and Sections 67, 67-A, 67-D of the Information Technology Act, 2000 registered at Police Station Hajipur, District Hoshiarpur (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[9] However, the respondent No.2 and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise (Annexure P-2) are violated.

[10] Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

30.05.2024

P.Bhatt

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