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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Date of decision : 05.08.2024

Rajesh Kumar

..... Petitioner

V/S

State of Haryana and Ors.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Shivek Thakur, Advocate for
Mr. Randeep S.Dhull, Advocate for petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Mr. Abhishek Pundir, Advocate for respondents No.2 to 6.

AMARJOT BHATTI J.

1. Petitioner – Rajesh Kumar filed instant petition under Section 482 of Cr.P.C. for quashing of FIR No.66 dated 23.02.2022, under Sections 365-D, 384, 509 of IPC and Section 66 of Information Technology Act, 2000, registered at Police Station Civil Lines, District Kaithal and all subsequent proceedings arising therefrom on the basis of compromise dated 29.04.2024 (Annexure P-1).

2. Facts of the case are complainant/respondent No.2 filed written complaint that she studied from the year 2015-2019 in Jaipur. In 2016, she became friendly with Rajesh Dhori through instagram. She met him several times. In the year 2019, she got married with Rajesh Dhori. After some time, in the month of October/November her husband Rajesh Dhori received message on instagram ID from the ID of one Garvit Chaudhary that he wanted to talk to him as he had certain photographs of his wife. He received a call from foreign number and there was demand of



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cash of Rs.6,00,000/- otherwise photographs and video of his wife would be uploaded on internet. Thereafter various calls were received from different mobile phone numbers. Her photographs and video were sent on mobile phone of her father-in-law and brother. Thereafter, her brother had transferred money from time to time. They were blackmailed for ransom. Ultimately, the matter was reported to the police and present FIR has been registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Petitioner and respondents No.2 to 6 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. Detailed report regarding compromise has been received from the court of Judicial Magistrate Ist Class, Kaithal dated 30.05.2024. Statements of respondents No.2 to 6 have been recorded, where they confirmed the compromise with petitioners. They confirmed that this compromise has been effected without any pressure, coercion or undue influence from any side and they have no objection regarding quashing of FIR.

4. Petitioner – Rajesh Kumar also confirmed this fact in his separate statement. Statement of Inspector Hitender Singh also recorded through video conferencing. He confirmed that the accused is not involved or declared as proclaimed offender in any other criminal case.

5. Therefore, from the report of Judicial Magistrate Ist Class, Kaithal, it is clear that compromise has been effected between parties without any pressure, coercion or undue influence, which is acceptable to both the parties. Gainful reference can be made to the authority of our own High Court i.e. **Larger Bench of Five Judges 2007(3) RCR (Criminal)**



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1052 case titled “*Kulwinder Singh and others vs. State of Punjab and another*” where it was explained that inherent power of this Court under Section 482 cannot be limited to matrimonial cases alone and the Court has wide power to quash the proceedings even in non-compoundable offences notwithstanding the bar under Section 320 of Criminal Procedure Code in order to prevent abuse of law and to secure ends of justice.

6. In the case in hand both parties have mutually settled all their disputes and thereafter they will be able to live peacefully. It will end all litigation started between them. Thus no purpose would be served with the continuation of criminal proceedings.

7. Therefore considering these facts, petition filed by petitioner is accepted and FIR No.66 dated 23.02.2022, under Sections 365-D, 384, 509 of IPC and Section 66 of Information Technology Act, 2000, registered at Police Station Civil Lines, District Kaithal and all other subsequent proceedings arising therefrom are quashed.

8. Accordingly, present petition stands accepted.

9. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

05.08.2024.

Sunil Devi

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No