



264 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31647-2024 (O&M))
Date of decision: 07.08.2024

SAWAN SINGH

...PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. L.S. Lakhanpal, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Anantdeep Singh Sandhu, Advocate
for respondent No. 2.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.0245 dated 19.12.2022 under Sections 67-A of Information Technology (Amendment) Act, 2008 and Section 354-D of IPC registered at Police Station Naggal, District Ambala (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 24.05.2024 (Annexure P-2).

2. The following order was passed on 05.07.2024:

"This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0245 dated 19.12.2022 under Sections 67-A of Information Technology (Amendment) Act, 2008 and Section 354-D of IPC registered at Police Station Naggal, District Ambala (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 24.05.2024 (Annexure P-2).

Notice of motion for 07.08.2024.



At this stage, on the asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Mr. Anantdeep Singh Sandhu, Advocate accepts notice for respondent No.2 and files his memorandum of appearance and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day. Learned counsel for respondent No.2 is directed to file his power of attorney on or before the next date of hearing.

Service is complete.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaqa Magistrate within two weeks from today or any other date convenient to the trial Court/Illaqa Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaqa Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 07.08.2024.

A copy of the order be sent to learned trial Court/Illaqa Magistrate through fax for compliance.”

3. In compliance of the aforesaid order, a report has been received from the concerned jurisdictional Court that the compromise between the parties is genuine and arrived at without any pressure or coercion from anyone.

4. In view of the compromise and the ratio of law laid down by the Hon'ble Supreme Court in **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466**, **Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834** and **Shakuntala Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63** and Full Bench of this Court in **Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (CrI.) 1052**, this petition is allowed and FIR No.0245 dated 19.12.2022 under Sections 67-A of Information Technology (Amendment) Act, 2008 and Section 354-D of IPC

registered at Police Station Naggal, District Ambala and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

August 07, 2024

Ajay Goswami

(i) Whether speaking/reasoned

(ii) Whether reportable

Yes/No

Yes/No

(HARPREET SINGH BRAR)
JUDGE