

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-4430-2024,
CRM-11311- 2024 IN/AND
CRM-M- 34562-2023
Date of Decision:18.03.2024

Pooja Sharma ...Petitioner

vs.

State of Haryana and others ...Respondents

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

Present : Mr. Pardeep Chhoker, Advocate
for the applicant-petitioner.

Mr. Karan Garg, AAG, Haryana.

Mr. Kapil Rana, Advocate
for respondents.

N.S.Shekhawat J. (Oral)

CRM-4430-2024

Application is allowed as prayed for, subject to just all exceptions. Affidavit of Chetram Yadav (Annexure A-1) and Amended Memo of Parties are taken on record.

CRM-11311-2024

The application has been filed under Section 482 Cr.P.C with a prayer to add the offence under Sections 467,468,471 and 120-B of IPC in the headnote as well as prayer clause of the main petition.

Notice of the application.

On the asking of the Court, Mr. Karan Garg, AAG, Haryana.,who is present in the Court, accepts notice on behalf of the respondent-State and

Mr. Kapil Rana, Advocate accepts notice on behalf of respondents and they have no serious objection with the prayer made by learned counsel for the petitioner.

Consequently, the prayer is allowed; the offence under Sections 467,468,471 and 120-B of IPC is ordered to be added in the headnote as well as prayer clause of the main petition.

The Registry of the Court is directed to carry out the necessary corrections in this regard.

The application stands disposed off.

Main case

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 0009 dated 08.10.2022 under Sections 66 (D) of I.T, Act and 467,468,471,120-B and 420 of IPC registered at Police Station Cyber Manesar, District Gurugram (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise/affidavit deed dated 24.12.2022 (Annexure P-2).

2. Vide order dated 21.07.2023, 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/affidavit deed dated 24.12.2022 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the JMIC, Gurugram and got their statements recorded. Report dated 09.08.2023 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. Learned counsel appearing on behalf of respondents/complaint has no objection, if the present petition is allowed.

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

6. 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.

7. Resultantly, FIR No. 0009 dated 08.10.2022 under Sections 66 (D) of I.T,Act and 467,468,471,120-B and 420 of IPC registered at Police Station Cyber Manesar, District Gurugram (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

(N.S.SHEKHAWAT)
JUDGE

18.03.2024
hitesh

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