

CRM-M-44372-2023 (O&M) - 1 -

2024 : PHHC : 036004

286

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-44372-2023 (O&M)

Date of Decision: 13.03.2024

RAJVIR SINGH

... PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Saurabh Dalal, Advocate for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Mr. Ankur Dua, Advocate for
Mr. Sankalp Gahlawat, Advocate for respondent No.2.

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HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 728 dated 13.10.2020 registered at Police Station City, Rohtak, under Sections 294, 354-A, 506 IPC and Section 67(A) of the IT Act, 2000 on the basis of compromise dated 20.08.2023 (Annexure P-1) between the parties.

[2] Learned counsel for the petitioner contends that the FIR was registered at the instance of respondent No.2 on the allegation that the petitioner had sent indecent photo on her phone and had misbehaved with her. Now the said dispute has been amicably settled between the parties and as such, respondent No.2 does not want to take any action in the said FIR. Learned counsel for the petitioner further contends that the petitioner and respondent No.2-complainant happen to be closely related to each other and the subject FIR had been got registered due to the dispute arisen out of some misunderstanding between them and with the intervention of the

respectables, they have, now, settled/resolved the same amicably and the said settlement/compromise would promote peaceful, harmonious and cordial relations between the parties.

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

[4] On 05.09.2023, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[5] As per the report dated 06.10.2023, received from the Chief Judicial Magistrate, Rohtak through the District & Sessions Judge, Rohtak, the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as "Proclaimed Offender" and he is not involved in any other criminal case.

[6] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[7] Keeping in view the facts and circumstances of the case, 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. 728 dated 13.10.2020 registered at Police Station City, Rohtak, under Sections 294,

354-A, 506 IPC and Section 67(A) of the IT Act, 2000 and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

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

13.03.2024
Janki

(HARPREET KAUR JEEWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No