



**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-60708-2022 (O&M)
Date of Decision:- 04.09.2024

Mubin and others ... Petitioners

Versus

U.T. Of Chandigarh and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Nasir Jamal, Advocate for
Mr. Azad Khan, Advocate, for the petitioners.

Mr. Akashdeep Singh, Addl. P.P. U.T. Chandigarh,
with Mr. Gaurav Vir Singh Behl, Advocate.

Mr. Salman Ahmed, Advocate,
for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioners-Mubin, Ajarudin, Rasid, Alisher Khan, Sateesh Chand, Talaha, Fejan Ali, Sajid Khan, Sahib and Altaf have approached this Court seeking quashing of FIR No.21 dated 17.08.2022, Police Station Cyber Crime, Chandigarh, under Sections 419, 420, 384, 120-



B IPC (Sections 467, 468 and 471 IPC added later on), and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

2. The FIR in question was lodged at the instance of Manoj Kumar wherein it is alleged that he had received a telephone call from mobile number 9166724288 and the caller disclosed her name as Aanchal Sharma and stated that she is a government employee. She started talking to him and on the night of same day he received a video call and she removed her clothes and asked the complainant to remove his clothes. Upon her saying complainant removed his clothes. Thereafter from another number i.e. mobile number 8249574788 the complainant received a call and the caller identified himself as the SHO and said he is calling from Chandigarh DC office and he told him that he has received a complaint against the complainant and that these people are threatening to upload the video on Facebook and he insisted that he can get to the matter compromised in ₹25000/-. Complainant told him that he do not have this amount of money, then he said whatever amount of money you are having send it and rest of the money you can give it later on and gave mobile number 7610769545 which is in the name of Anmol Sharma and asked him to pay through Google Pay on that number. As the complainant was afraid, he sent an amount of ₹3120/- and thereafter he was asked to give ₹15,000/- more till evening or video will be sent to media.



3. Learned counsel for the petitioner submits that since the matter has been amicably resolved amongst the parties and a compromise has been arrived between the parties and the complainant would not have any objection for quashing of the instant FIR and as such holding a trial would virtually be an exercise in futility.
4. On the other hand, learned State counsel submitted that the petitioners are part of a larger gang of extortionist, operating in various States including State of Rajasthan and that definite evidence has been collected during the course of investigation. It has further been submitted that the mobile phones recovered from the accused were also used in commission of other offences and qua them as many as 197 complaints and 11 FIRs are pending. Para No.5 of the status report dated 03.02.2023 of Jasbir Singh, DSP, Operation Cell, Sector 26, Chandigarh is reproduced herein under:-
 - “5. That Analysis of 10 mobile and 22 IMEI recovered in the present case was done by cyber analysis team which revealed, inter-state linkage of 197 complaint including 11 FIRs with the mobile number mentioned in the FIR.”
5. In view of the aforestated position wherein the petitioners seem to be involved in several other cases and comprised a gang of extortionist, this Court does not find it to be a fit case to quash the FIR on the basis of compromise. The petition, as such, is dismissed.
6. It is however, clarified that none of the observations made above shall be taken to be any expression as regards the merits of the case and the



trial Court shall proceed with the matter independently on the basis of the evidence that may be led before it by the prosecution.

04.09.2024
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No