

CRM-M-55970-2023

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(284)

CRM-M-55970-2023

Date of Decision:-**February 12, 2024**

Srikant Shekhawat @ Aditya Sangvi @ Sachin Bagmal Baishah

.....Petitioner

Versus

U.T. Chandigarh and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Anureet Singh Sidhu, Advocate
for the petitioner.

Mr. Manish Bansal, P.P. U.T. Chandigarh with
Mr. Navjit Singh, Advocate
for respondent No. 1-State.

Mr. Sahil, Advocate for
Mr. Varun Girdhar, Advocate
for respondent No. 2.

ALOK JAIN, J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of **FIR No. 230 dated 06.08.2014** under **Sections 419, 420 and 507** of Indian Penal Code, 1860 and **Sections 66-A, 66-C and 66-D** of the Information Technology Act, 2000 (**Section 24** of the Immigration Act, 1924 added later on) registered at Police Station Sector 17, Chandigarh (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise dated 18.07.2023 (Annexure P-2).

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2. Keeping in view the fact that the parties entered into a compromise, this Court vide order dated 09.01.2024 directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated 05.02.2024 has been received from the Chief Judicial Magistrate, Chandigarh, stating that the compromise arrived at between the parties is voluntary and the same is without any pressure, coercion or undue influence.

3. Learned counsel for U.T. Chandigarh and learned counsel appearing on behalf of respondent No.2 admit the factum of compromise and submit that they have no objection to quashing of the FIR on that basis.

4. Perusal of the aforesaid report establishes that the parties have amicably settled their dispute, and continuance of criminal proceedings in such a situation will be an exercise in futility, as the chances of ultimate conviction are bleak. The power under Section 482 Cr.P.C. can be exercised in such matters. It has been held by Supreme Court of India in cases *Gian Singh v. State of Punjab and another* 2012(10) SCC 303 and *Narinder Singh and others v. State of Punjab and another* 2014(6) SCC 406 that criminal cases having overwhelmingly civil character, particularly those arising out of commercial transactions or matrimonial relationships or family disputes, should be quashed when the parties have resolved their disputes among themselves in a *bona fide* manner.

5. Consequently, this petition is allowed. **FIR No. 230 dated 06.08.2014** under **Sections 419, 420 and 507** of Indian Penal Code, 1860 and **Sections 66-A, 66-C and 66-D** of the Information Technology Act, 2000 (**Section 24** of the Immigration Act, 1924 added later on) registered at Police Station Sector 17, Chandigarh (Annexure P-1) and all consequential

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proceedings arising therefrom, are hereby quashed *qua* the petitioner, subject to payment of cost of Rs. 25,000/- to be deposited by the petitioner and Rs. 10,000/- to be deposited by respondent No.2 within one month from today in *Poor Patients Welfare Fund, PGIMER, Chandigarh*.

(ALOK JAIN)
JUDGE

February 12, 2024
Parul

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No