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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 171/2020**

JAY PAUDYAL

.....Petitioner

Through: **Mr. Vineet Mehta, Advocate along
with the petitioner in person.**

versus

CENTRAL BUREAU OF INVESTIGATION & ANR.

.....Respondents

Through: **Ms. Anubha Bhardwaj, SPP, CBI
with Mr. Vishal Sharma, Advocate
along with Inspector Narender Singh
Rajawat, HIO.**

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

05.09.2024

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1. This petition under Section 482 Cr.PC has been filed for quashing of FIR No. RC No.CY-1-2007/E-0001 registered with CBI Branch, EOU-IX, Delhi dated 09.01.2007 under Section 379 of the IPC read with Section 66 of I.T Act, 2000.

2. It is submitted in the petition that essentially the allegations were theft of electronic data of the complainant and the matter has been compromised with the complainant which has been reflected in the ordersheet of the learned ACMM-cum-ACJ dated 16.07.2019 wherein it is recorded that the parties have compounded the offence under Section 379 IPC and Rs.8 lacs has been received by the complainant.



3. The petition is supported with the affidavit of the complainant Virender Jeet Singh. It is submitted that the complainant, Virender Jeet Singh unfortunately has died during the COVID time, however, in view of the compromise which has already been affected and payment made, it is submitted that the FIR may be quashed since it is only Section 66 of the I.T Act which is not compoundable.

4. The respondent, CBI in its reply has opposed the quashing on the ground that offence has been committed and there is no cogent reason for quashing.

5. **Submissions Heard.**

6. The complainant Virender Jeet Singh had given a written complaint stating that he was the owner of the website “Rozgar.com” registered under Mumbai based Registrar-WEBSITE.IN and was working under his supervision since past 2 years having thousands of members.

7. On 14.10.2006 he came to know that some unknown person had hacked his email address and stolen his data. On his complaint, FIR was registered and after investigation the petitioner was identified as an accused who had committed the data theft. After investigation, chargesheet under Section 379 read with Section 66 I.T Act was filed. The matter under Section 379 IPC stands compounded with the complainant as is evident not only from his affidavit which supported the present petition but also from the ordersheet of learned ACMM-cum-ACJ wherein it is recorded that the offence under Section 379 IPC stands compounded. The offence under Section 66 is only supportive of the offence of theft which is being committed through



computers and electronic mode.

8. The parties are present before this Court in-person today, and have been identified by their counsel and Investigating Officer concerned.

9. In view of the submissions made, the Petition is allowed. Accordingly, the FIR No. RC No.CY-1-2007/E-0001 registered with CBI Branch, EOU-IX, Delhi dated 09.01.2007 under Section 379 of the IPC read with Section 66 of I.T Act, 2000 with all the subsequent proceedings and the charge sheet is hereby quashed *qua* all the petitioners.

10. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 5, 2024

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