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

209-1

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Date of Decision: 25.02.2025

Harkirat Singh

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Harmanjeet Singh, Advocate, for the petitioner.

Mr. Harish Nain, AAG, Haryana.

Mr. J. S. Moudgill, Advocate, for respondents no.2 and 3.

TRIBHUVAN DAHIYA, J. (ORAL)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 298 dated 09.07.2022, registered at Police Station Pehowa, District Kurukshetra, Haryana, under Section 67 of the Information Technology (Amendment) Act, 2008 and Section 506 IPC and all subsequent proceedings arising therefrom in view of the compromise by way of affidavit dated 02.05.2024, Annexure P-2, entered into between the petitioner and the complainants to settle their disputes in question

2. Learned counsel for the petitioner contends that the petitioner and the complainants have settled their disputes by way of compromise dated 02.05.2024, Annexure P-2.

3. As the parties entered into a compromise to resolve their disputes which led to registration of the criminal case, they were directed to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard, vide order dated 08.07.2024. Pursuant thereto, a report, dated

11.11.2024, has been received from Sub Divisional Judicial Magistrate,



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Pehowa at Flag 'B', stating that the compromise arrived at between the parties is without any pressure, coercion or undue influence. As per report, no other criminal case is pending against the petitioner-Harkirat Singh nor he has been ever declared as proclaimed offender.

4. Learned State counsel and learned counsel appearing on behalf of respondent No.2 and 3 admit the factum of compromise, and submit that they have no objection to quashing of the FIR on that basis.

5. It has been held by the Supreme Court of India in cases *Gian Singh v. State of Punjab and another*, 2012(10) SCC 303 and *State of Madhya Pradesh v. Laxmi Narayan and others*, (2019) 5 SCC 688, 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 by entering into a compromise. On similar lines is another judgment of the Supreme Court in *Shiji alias Pappu and others v. Radhika and another*, 2012 (1) SCC (Criminal) 101, wherein criminal proceedings for offences under Sections 354 and 394 IPC were quashed since the parties had entered into a compromise and there were no chances of conviction.

6. Further, reference can also be made to Full Bench judgment of this Court in *Kulwinder Singh and others v. State of Punjab and another*, 2007(3) R.C.R.(Criminal) 1052, holding that on the parties settling their disputes by way of a compromise, the High Court in exercise of power under Section 482 Cr.P.C. can allow the compounding of non-compoundable offences also, and quash the criminal proceedings to prevent abuse of the process of law or otherwise to secure the ends of justice. The power is not

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confined to matrimonial disputes alone.

7. A perusal of the allegations in the FIR as well as the aforesaid report establishes that the present case involves misuse of information technology etc., falls in the category of cases that can be quashed by the High Court in exercise of its inherent jurisdiction under Section 482 Cr.P.C., as per law laid down in the aforementioned judgments. The petitioner has no criminal antecedents. The offences alleged are not heinous in nature and cannot be termed as crime against the society; nor do they show mental depravity of the petitioner. Since disputes between the parties have been amicably resolved by way of the compromise, continuation of criminal proceedings will be an exercise in futility as chances of ultimate conviction are not there, and it will hamper their peaceful coexistence even after resolution of disputes.

8. Consequently, this petition is allowed. FIR No. 298 dated 09.07.2022, registered at Police Station Pehowa, District Kurukshetra, Haryana, under Sections 67 of the Information Technology (Amendment) Act 2008 and Section 506 IPC and all subsequent proceedings arising therefrom are hereby quashed *qua* the petitioner.

(TRIBHUVAN DAHIYA)
JUDGE

25.02.2025**anil**

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