



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

CRM-M-37086-2019 (O&M)
Date of decision: 27.02.2025

Chaitesh Ushagama

...Petitioner

Versus

State of Punjab and another

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Kapil Dev Sapra, Advocate,
Mr. Vikas Dutta, Advocate,
Mr. Siddharth Silwal, Advocate,
Mr. Jasdeep Singh Walia, Advocate,
Mr. Akamjit Singh Ahluwalia, Advocate
for the petitioner.

Mr. J.S. Dhaliwal, AAG, Punjab.

Mr. Sandeep Singh, Advocate for respondent No.2.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 482 Cr.P.C. seeking quashing of FIR No.3 dated 09.06.2018, registered under Sections 66, 66C, 72A, 84B of the Information Technology Act 2000 (in short 'IT Act') and final report dated 04.05.2019 submitted by police (Annexure P-1) and all the subsequent proceedings arising therefrom.

2. The allegations in nutshell are that NIIT Technology Ltd. entered into a Master Services Agreement dated 31.01.2018 with the complainant to provide services relating to IT Operation Management, IT Services Management and Service Level Agreement Framework to the complainant company i.e. Trident Limited having registered office at Barnala. Petitioner at the relevant time was working with NIIT Technologies Limited as Data Center Analyst. There are allegations that after the execution of aforesaid agreement, NIIT Technologies Limited and



its employees including the present petitioner committed theft of digital confidential data belonging to the complainant. The matter was reported to the police and resultantly, impugned FIR No.3 dated 09.06.2018 was registered against the accused persons including the present petitioner.

3. During the pendency of the present petition, parties had shown their inclination to settle the dispute in an amicable manner. On this, the matter was referred to the Mediation and Conciliation Centre of this Court. Both the parties (i.e. Trident Limited and NIIT Technologies Limited) participated in the mediation proceedings and finally, the matter was compromised and the parties executed settlement deed dated 23.12.2024. On behalf of the complainant, the said deed of settlement was signed by its authorized representative namely Raghav Ghakhar and on behalf of Coforge Limited (formally known as NIIT Technologies Limited), the deed was signed by its authorized representative Anurag Aggarwal. As per the said compromise, NIIT Technologies Limited agreed to pay amount of Rs.85 lacs to the complainant company.

4. On the last date of hearing, the counsel appearing on behalf of both the parties apprised the Court that all the terms and conditions of aforesaid settlement deed are already acted upon by the parties and even the payment of aforesaid settled amount is also made by NIIT Technologies Limited to the complainant company.

5. Today, the counsel for the parties admitted the factum of compromise and further that it has been acted upon. Raghav Ghakhar, authorized representative of Trident Limited is present today in the Court and he also submitted his affidavit wherein he has admitted that the entire settled amount has been received by the complainant company and the complainant is having no objection if FIR No.3 dated 09.06.2018, registered with Police Station Cyber Crime, SAS Nagar, challan dated 04.05.2019 and supplementary challan dated 01.10.2019, second supplementary challan dated 20.11.2022 and third supplementary challan dated 03.05.2024 and all the subsequent proceedings arising thereof are quashed qua the present petitioner and other accused persons, as the matter has been compromised between the parties.



6. Having regard to the aforesaid facts and circumstances of the case, the prosecution of the petitioner on the basis of the FIR and supplementary challans, as are detailed above would amount to miscarriage of justice and abuse of the process of Court and that of law as well.

7. For the foregoing reasons, the present petition is hereby allowed qua petitioner and FIR No.3 dated 09.06.2018, registered under Sections 66, 66C, 72A, 84B of IT Act registered with Police Station Cyber Crime, SAS Nagar, challan dated 04.05.2019 and supplementary challan dated 01.10.2019, second supplementary challan dated 20.11.2022 and third supplementary challan dated 03.05.2024 and all the subsequent proceedings arising thereof are quashed qua the present petitioner.

8. The present petition is disposed of in aforesaid terms.

9. The pending applications, if any, are also disposed of in same terms.

27.02.2025

Yogesh

**(KARAMJIT SINGH)
JUDGE**

**Whether speaking/reasoned:-
Whether reportable:-**

**Yes/No
Yes/No**