

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

281

2026:PHHC:069575



CRM-M-7314-2026 (O&M).
Date of decision: 05.05.2026.

ADITYA VIKRAM BHALLA

...Petitioner(s)

VERSUS

STATE OF HARYANA AND ANOTHER

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Vishal Sharda, Advocate,
for the petitioner(s).

Mr. Onkar Singh Wahla, Sr. DAG, Haryana.

Mr. Rahul Dhanda, Advocate,
for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present petition under Section 528 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 is for quashing of case bearing FIR No.878
dated 19.10.2023 under Section(s) 66(c) and 66(d) of the Information
Technology Act, 2008 and Section 201 of the Indian Penal Code, 1860,
registered at Police Station Karnal City, District Kanral, along with all

subsequent proceedings arising therefrom on the basis of compromise (Annexure P-3).

2 The facts of the present case, in brief, are that the aforesaid FIR was registered on the basis of proceedings initiated upon a complaint submitted by Randeep Lather, son of Karam Singh Lather, resident of House No. 1, Ansal Town, Sector-36, Karnal, who is stated to be an advocate practicing at Karnal Courts. As per the allegations levelled in the complaint, the complainant stated that his son, namely Ansh Lather, aged about 17 years and a minor, had become the target of an unknown person who created a fake Instagram account in the name and style of “anshlather1005”. It was alleged that the said fake social media account was being used for sending obscene and objectionable messages to the school of one of their relatives and for circulating objectionable material with the intention to defame and blackmail the complainant’s son as well as his family members. The complainant accordingly requested that strict legal action be initiated against the unknown person responsible for creating and operating the fake account and that the forged Instagram ID be cancelled. It was further recorded that on 19.10.2023, while posted at Police Post Sector-4, Karnal, S.I. Vinod Kumar received complaint No. 5402-CMISE dated 23.08.2023 from Cyber DPO Karnal along with the investigation report. Upon examining the contents of the complaint, offences punishable under Sections 66-C and 66-D of the Information Technology Act, 2000 were found to be prima facie made out. Consequently, a written communication was prepared and sent to Police Station City, Karnal through HC Dharmender for registration of a formal case. It was also noted that S.I. Vinod Kumar expressed inability to conduct further investigation on

the ground that he was not competent to investigate offences under the aforesaid provisions and requested that the matter be entrusted to a competent Investigating Officer after registration of the FIR. Thereafter, on receipt of the said written communication along with the complaint, S.I. Bahadur Singh, who was present at Police Station City, Karnal, registered FIR No. 878 dated 19.10.2023 under Sections 66-C and 66-D of the Information Technology Act, 2000 against an unknown person for allegedly creating a fake Instagram ID, sending obscene messages and attempting to blackmail and defame the complainant's son and family members. The matter was thereafter forwarded for investigation in accordance with law.

3 However, with the intervention of the respectables, the Parties have decided to compromise the matter. Hence, the present petition.

4 The parties were directed to appear before the trial Court/Illaq Magistrate vide order dated 09.02.2026 of this Court, to get their statements recorded regarding the compromise arrived at between the parties and a report in this regard was called for.

5 Pursuant to the said order, a report has been received from the Chief Judicial Magistrate, Karnal, vide Memo No.254 dated 17.03.2026. The relevant extract of the report is reproduced as under: -

“After recording the statements of the parties, the same were read over and explained to them, who after admitting the same as correct put their signatures on their respective statements. The parties have been duly identified by their respective counsel.

As per the statement of IO SI Salinder, in the present FIR, one person has been arrayed as accused. No accused has been

declared proclaimed offender. No other case is registered against accused.

As per the statement of parties, I believe that compromise has been arrived between the parties voluntarily and without any coercion, pressure of any kind or undue influence. The compromise effected between the parties seems to be genuine and outcome of free consent of the parties.

The statement of the parties and IO SI Salinder, in original, are enclosed herewith.”

6 Learned counsel for respondent No.2 reiterates the settlement and her concurrence to the FIR and all the other consequential proceedings being quashed.

7 Learned State counsel does not dispute the factum of the compromise amongst the parties and does not have any serious objection to the resolution of the dispute amongst the parties.

8 The broad principles for exercising the powers under Section 482, Cr.P.C (now Section 528 BNSS) were summarized by the Hon'ble Supreme Court in the matter of **'Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others versus State of Gujarat and another'** **(2017) 9 SCC 641'**. The relevant paragraphs are extracted as under: -

16.1. Section 482 preserves the inherent powers of the High Court to prevent an abuse of the process of any court or to secure the ends of justice. The provision does not confer new powers. It only recognises and preserves powers which inhere in the High Court.

16.2. The invocation of the jurisdiction of the High Court to quash a first information report or a criminal proceeding on the ground that a settlement has been arrived at between the offender and the victim is not the same as the invocation of jurisdiction for the purpose of compounding an offence. While compounding an offence, the power of the court is governed by the provisions of Section 320 of the Code of Criminal Procedure, 1973. The power to quash under Section 482 is attracted even if the offence is non-compoundable.

16.3. In forming an opinion whether a criminal proceeding or complaint should be quashed in exercise of its jurisdiction under Section 482, the High Court must evaluate whether the ends of justice would justify the exercise of the inherent power.

16.4. While the inherent power of the High Court has a wide ambit and plenitude it has to be exercised (i) to secure the ends of justice, or (ii) to prevent an abuse of the process of any court.

16.5. The decision as to whether a complaint or first information report should be quashed on the ground that the offender and victim have settled the dispute, revolves ultimately on the facts and circumstances of each case and no exhaustive elaboration of principles can be formulated.

16.6. In the exercise of the power under Section 482 and while dealing with a plea that the dispute has been settled, the High Court must have due regard to the nature and gravity of the offence. Heinous and serious offences involving mental depravity or offences such as murder, rape and dacoity cannot appropriately be quashed though the victim or the family of the victim have settled the dispute. Such offences are, truly speaking, not private in nature but have a serious impact upon society. The decision to continue with the trial in such cases is founded on the overriding element of public interest in punishing persons for

serious offences.

16.7. As distinguished from serious offences, there may be criminal cases which have an overwhelming or predominant element of a civil dispute. They stand on a distinct footing insofar as the exercise of the inherent power to quash is concerned.

16.8. Criminal cases involving offences which arise from commercial, financial, mercantile, partnership or similar transactions with an essentially civil flavour may in appropriate situations fall for quashing where parties have settled the dispute.

16.9. In such a case, the High Court may quash the criminal proceeding if in view of the compromise between the disputants, the possibility of a conviction is remote and the continuation of a criminal proceeding would cause oppression and prejudice; and

16.10. There is yet an exception to the principle set out in propositions 16.8. and 16.9. above. Economic offences involving the financial and economic well-being of the State have implications which lie beyond the domain of a mere dispute between private disputants. The High Court would be justified in declining to quash where the offender is involved in an activity akin to a financial or economic fraud or misdemeanour. The consequences of the act complained of upon the financial or economic system will weigh in the balance.”

9 In **Mrs. Shakuntala Sawhney Vs. Mrs. Kaushalya Sawhney and others, reported as (1980) 1 SCC 63**, Hon’ble Krishna Iyer J. aptly summed up the essence of compromise in the following words: -

“the finest hour of justice arrives propitiously when parties, despite falling apart, bury the hatchet and weave a sense of fellowship of reunion.”

10 The following relevant factors emerge from perusal of the case as well as the subsequent developments supplementing a case for invocation of the powers under Section 528 BNSS:-

- (i) It is established from the report of the Chief Judicial Magistrate, Karnal, that a compromise has been effected voluntarily between the parties restoring peace and harmony between them.
- (ii) The petitioner is aged 46 years and continuation of criminal proceedings would have a serious adverse impact on his future prospects, employment opportunities and social standing.
- (iii) The occurrence does not reflect any deep-rooted criminal intent or continuing threat to society.
- (iv) The FIR pertains to the year 2023 and already sufficient time has elapsed and proceedings have not progressed substantially, indicating that the trial is likely to take considerable time to conclude.
- (v) The offences alleged, though not to be condoned, cannot be categorised as heinous or of such a nature that they shock the conscience of society or warrant continuation of prosecution despite settlement.
- (vi) There is nothing on record to suggest that the petitioner is habitual offender or that his conduct poses any continuing threat to public order or societal interest.
- (vii) In view of the compromise, the complainant is unlikely to support the case of the prosecution, thereby rendering the

possibility of conviction remote.

(viii) Continuation of the criminal proceedings in such circumstances would not serve any larger public interest and would result in unnecessary harassment to the parties.

(ix) The ends of justice would be better served by putting an end to the proceedings rather than allowing them to continue as an exercise in futility, leading to wastage of precious judicial time.

11 In view of the report of the Chief Judicial Magistrate, Karnal and having regard to the settled principles laid down by the Hon'ble Supreme Court on the subject, the instant petition is allowed. FIR No.878 dated 19.10.2023 under Section(s) 66(c) and 66(d) of the Information Technology Act, 2008 and Section 201 of the Indian Penal Code, 1860, registered at Police Station Karnal City, District Kanral, along with all subsequent proceedings arising therefrom, is hereby quashed on the basis of compromise (Annexure P-3) entered between the parties.

12 Petition is allowed in above terms.

May 05, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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