



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

269

CRM-M-73155-2025
Date of decision: 09.04.2026

SHIWANG SINGH AND ANOTHERPetitioners

VERSUS

STATE OF HARYANA AND ANOTHERRespondents

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

Present: - None for the petitioners.

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

None for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for quashing of FIR bearing No.836 dated 10.12.2025 registered under Sections 316(4), 318(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 65, 66-B of the IT Act, 2000, at Police Station Gurgaon Sadar, District Gurugram, along with all subsequent proceedings arising therefrom on the basis of compromise deed/affidavit dated 20.12.2025 and 12.12.2025 (Annexures P-2 and P-3).

2. The above FIR had been registered on the complaint of Kuldeep Verma alleging to the effect that he works as a Legal Manager with Value Drive Technologies Pvt. Ltd., a company engaged in the business of

purchasing and selling old vehicles. He alleged that one employee of his company namely Shivang Singh, son of Sunil Singh, resident of 2031, Gali No. 37, near Chhoti Mandir, Phase-2, Gurugram, Haryana, had been working with the company for the last about 1.5 years, and on 04.12.2025, he took the company laptop from the office on the pretext of taking three days' leave, and thereafter when the office system was checked, it was found that company data was being illegally and unauthorizedly stolen from the said laptop, which such data is the proprietary and official record of the company and had been securely stored on the company server, access to which was provided to employees only for official work purposes; upon further inquiry it was revealed that Shivang Singh, in connivance with his other associates, illegally hacked and misappropriated company data from the company laptop and further shared the stolen data with third parties. Hence, the present FIR has been registered against Shivang Singh and other persons involved, under Sections 316(4) and 318(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 65 and 66B of the Information Technology Act, 2000.

3. It is however averred that with the intervention of the respectables from both sides, the matter has now been settled and amicably resolved. It is further submitted that the compromise amongst the parties was effected on account of free will and without any pressure and coercion.

4. Pursuant to the order dated 24.12.2025, a report has been received from the Additional Chief Judicial Magistrate, Gurugram vide Memo No. 691 dated 02.02.2026. The relevant extract of the report reads

thus:-

I. Total number of persons found involved as accused in the dispute/FIR

As per the statement of Investigating Officer, there are only two persons found involved as accused in the present FIR namely, Shiwang Singh and Kapil.

II. Number of complainant/victim(s);

As per statement of investigating officer, there is only one complainant in the present case namely, Kuldeep Verma son of Shri Subhash Verma, resident of House No. 627, Khanak (34), Khanak, Bhiwani, Haryana-127040.

III. Whether all the accused and complainant/victims are party to compromise and signed the same;

As per statements of both the parties as well as investigating officer, accused persons as well as complainant have signed their statements being parties to the compromise.

IV. In case, any affected person (accused or complainant) is left out or not arrayed as party in the quashing petition before High Court, detail whereof; OR His/her statement is still to be recorded, in compliance to the direction of this Court, details of such person:

As per statement of the investigating officer, except the above-named complainant as well as accused persons, there were no other affected persons (accused or complainant) in the present case.

V Whether any accused has been declared as a proclaimed offender/person or any such proceedings against him/her have been initiated or pending adjudication;

As per statement of the investigating officer, accused Shiwang Singh and Kapil have not been involved in any other criminal case and have not been declared proclaimed offenders/persons in any criminal case nor any such

proceedings have been initiated or pending against them.

VI. Report of the Court whether compromise is genuine, voluntary, and without any coercion or undue influence;

On the basis of statements made by both the parties, this Court is of the considered view that the compromise effected between them appears to be valid compromise and same is genuine, voluntary and without any coercion or undue influence.

VII. Any other aspect relevant to the present case.

The investigating officer submitted that during the course of further investigation, section 61(2) of Bharatiya Nyaya Sanhita, 2023 has been added in the present case.

5. 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.

6. The broad principles governing the exercise of powers under Section 482 of the Code of Criminal Procedure 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**' wherein it was held as under:

16. The broad principles which emerge from the precedents on the subject, may be summarised in the following propositions:

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.

7. The Hon'ble Supreme Court has held in '**Ramgopal And Another Vs State of Madhya Pradesh, 2021 SCC Online SC 834**', that the matters which can be categorized as personal in nature or in the matter in which the nature of injuries do not exhibit mental depravity or commission

of an offence of such a serious nature that quashing of which would override public interest, the Court can quash the FIR in view of the settlement arrived at amongst the parties.

8. On consideration of the above, the following relevant factors emerge for supplementing a case for invocation of the powers under Section 528 of BNSS, 2023:-

- a. It is established from the report of Additional Chief Judicial Magistrate, Gurugram that a compromise has been effected voluntarily between the parties and the same is genuine and without any coercion or any undue pressure.
- b. Petitioners are in their early twenties and continued incarceration in a criminal case will cause severe repercussions to the petitioners in discharge of their social obligation as well as at their work place and may adversely impact their careers.
- c. The FIR in question pertains to the year 2025 and therefore; the case is still at an initial stage. Putting an end to the proceedings will bring peace and tranquility among parties.
- d. The offence(s) in question cannot be said to be heinous or that would be shocking to the collective conscience of the society. It can also not be termed as one shocking to the conscience of the Court;
- e. Continuation of the proceedings, with the complainant unlikely to support the case of the prosecution, would serve

no larger public purpose and would only result in a waste of judicial time.

9. In view of the report submitted by the Additional Chief Judicial Magistrate, Gurugram and having regard to the settled principles laid down by the Hon’ble Supreme Court on the subject, the instant petition is allowed. The aforesaid FIR bearing No.836 dated 10.12.2025 registered under Sections 316(4), 318(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 65, 66-B of the IT Act, 2000, at Police Station Gurgaon Sadar, District Gurugram and all other consequential proceedings arising therefrom **are hereby quashed** in view of the compromise deed/affidavit dated 20.12.2025 and 12.12.2025 (Annexures P-2 and P-3).

Petition is allowed.

APRIL 09, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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