

**IN THE HIGH COURT OF MADHYA  
PRADESH  
AT INDORE  
BEFORE**

**HON'BLE SHRI JUSTICE SUBODH ABHYANKAR**

**ON THE 25<sup>th</sup> OF JANUARY, 2024**

**MISC. CRIMINAL CASE No. 45261 of 2023**

**BETWEEN:-**

**YASH VAMYA S/O SHRI DEVIRAM VAMYA, AGED  
ABOUT 25 YEARS, OCCUPATION: STUDY GALI NO.  
3, MAKAN NUMBER 120, BAGPURA, DISTRICT  
UJJAIN (MADHYA PRADESH)**

**.....PETITIONER**

**(BY SHRI M.K. SHARMA, ADVOCATE)**

**AND**

- 1. THE STATE OF MADHYA PRADESH STATION  
HOUSE OFFICER THROUGH POLICE STATION  
CYBER CELL, UJJAIN (MADHYA PRADESH)**
- 2. VICTIM NOT MENTION (MADHYA PRADESH)**

**.....RESPONDENTS**

**(BY MS. HARSHLATA SONI, P.L./G.A.)**

.....  
*This petition coming on for admission this day, the court passed  
the following:*

**ORDER**

Heard finally with the consent of the parties.

- 2]** This petition has been filed by the petitioner Yash Vamya, under Section 482 of the Cr.P.C., who is facing trial in Criminal

Case No.4661 of 2017 under Section 66(c) and 66 (d) of the Information Technology Act, 2000.

3] The petition has been filed on the ground that the matter has been compromised between the petitioner and the complainant, and since the offence is non-compoundable, the petitioner was forced to file the present petition under Section 482 of Cr.P.C.

4] Counsel for the petitioner has submitted that the petitioner has obtained a chemical engineering degree and has a bright future ahead, however, on account of the aforesaid case, serious prejudice would be caused to his future and in such circumstances, when the complainant herself has agreed to compromise the matter, the matter may be allowed to be compromised and the FIR may be quashed. It is submitted that the only allegation against the petitioner is that he has used the fake ID of the complainant and had also uploaded certain photographs. It is further submitted that none of the photographs were obscene in any manner and in such circumstances, the FIR deserves to be quashed when the matter has already been settled between the parties out of the Court.

5] Counsel has drawn the attention of this Court to the deposition of the complainant, in which she has not supported the case of the prosecution. Counsel has also drawn the attention of this Court to the application filed by the complainant under Section 320(2) of the Cr.P.C. requesting the Court that the matter may be allowed to be compounded. Shri Sharma has also submitted that it is true that in the Trial Court, the trial is almost at the fag end, as even the accused's statement has already been recorded, however,

looking to the future of the present petitioner, the complainant has graciously agreed to compromise the matter and in such circumstances, the present petition has been filed, which may be allowed in the interest of justice.

6] Counsel for the objector has also supported the petition and it is submitted that he has no objection if the FIR is quashed.

7] Counsel for the respondent/State submits that appropriate order may be passed.

8] Heard. Having considered the rival submissions and on perusal of the record of the Trial Court, which was also requisitioned by this Court, it is found that the complainant has not supported the case of the prosecution and even an application under Section 320(2) of the Cr.P.C. has also been filed requesting that the matter may be compromised.

9] In such circumstances, taking note of the fact that the offence is otherwise trivial in nature as no harm has been caused to the complainant, and further considering the fact that the petitioner is an engineering graduate and has a bright future ahead, and the incident took place in the year 2017 when the petitioner was around 19 years old which is an impressionable age, this Court is of the considered opinion that the ends of justice would be served if one opportunity of course correction is given to the petitioner so that he can mend his ways. Thus, in the interest of justice, the petition stands allowed, and the FIR lodged at Crime No.98/2017 registered at police station Cyber Cell, Ujjain is hereby quashed and consequently, the subsequent proceedings in criminal case

No.4661/2017 pending in the Court of JMFC, Indore are also hereby quashed.

**10]** With the aforesaid, the petition stands *allowed* and *disposed of*.

**(SUBODH ABHYANKAR)**  
**JUDGE**

**Bahar**