

258 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29167-2024 (O&M)
Date of Decision: 28.08.2024

JAIDEEP SINGH POPLI
V/S
STATE OF PUNJAB AND ANOTHER
...PETITIONER
...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Amit Gupta, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG Punjab.

Mr. Hardik Ahluwalia, Advocate
for respondent No. 2.

HARPREET SINGH BRAR J. (ORAL)

1. The petitioner through instant petition is seeking quashing of FIR No.0009 dated 09.02.2024 registered under Section 498-A of Indian Penal Code, 1860 at Police Station Women, Police Commissionerate, Ludhiana Punjab (Annexure P-1) on the basis of compromise dated 06.05.2024 (Annexure P-2).
2. The following order was passed on 03.06.2024:

“The petitioner through instant petition, on the basis of compromise is seeking quashing of FIR No.0009 dated 09.02.2024 registered at Police Station: Police Station Women, Police Commissionerate, Ludhiana Punjab (Annexure P-1) under Section 498-A of Indian Penal Code, 1860.

Notice of motion.

Mr. Sehajbir Singh Aulakh, AAG, Punjab accepts notice on behalf of respondent No. 1 State.

Parties may appear before learned trial Court/Illaq Magistrate concerned on 15.07.2024 or any other date convenient to said Court and get their statements recorded with regard to



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compromise. In the event of their statements being recorded, the Court will send copies of same to this Court before next date of hearing alongwith its report disclosing:

- i) genuineness and voluntary nature of compromise;*
- ii) how many persons are nominated in FIR/police report;*
- iii) how many accused/victims have out of total accused/victims have entered into compromise;*
- iv) if there is partial compromise, what is role of the accused;*
- v) what is stage of trial, if accused already convicted, whether appeal is pending in Appellate Court;*
- vi) whether all accused/petitioners are appearing before the Court or are on bail; and*
- vii) whether any other proceeding is pending against the accused/petitioner.*

Adjourned to 28.08.2024.”

3. In compliance of the aforesaid order, a report has been received from the concerned jurisdictional Court that the compromise between the parties is genuine and arrived at without any pressure or coercion from anyone.

4. Learned counsel for the petitioner submits that he is bound by the terms and conditions of the compromise (Annexure P-2) and as per the settlement, Rs. 10,00,000/- has already been paid to respondent No. 2 at the time of filing of petition under Section 13-B of Hindu Marriage Act before learned Family Court and remaining amount of Rs. 30 lacs is to be paid at the time of recording of statement of the parties at the stage of second motion before the learned Family Court, which is fixed for 12.11.2024.

5. Learned counsel for respondent No. 2 submits that liberty may be granted to respondent No.2 to revive the FIR(supra), in case the petitioner fails to abide by the terms and conditions of the compromise (Annexure P-2).

6. In view of the compromise and the ratio of law laid down by the Hon'ble Supreme Court in **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466, Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834 and Shakuntala Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63** and Full Bench of this Court in **Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (Crl.) 1052**, this petition is allowed and FIR No.0009 dated 09.02.2024 registered under Section 498-A of Indian Penal Code, 1860 at Police Station Women, Police Commissionerate, Ludhiana and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

7. However, liberty is granted to respondent No.2 to revive the FIR(supra), in case the petitioner fails to abide by the terms and conditions of the compromise dated 06.05.2024 (Annexure P-2).

(HARPREET SINGH BRAR)
JUDGE

28.08.2024
Ajay Goswami

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No