

CRM-M-35020-2024 (O&M)

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227 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-35020-2024 (O&M)

Date of Decision: 04.11.2024

POONAM MEHTA AND OTHERS

...Petitioners

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sunil Chadha, Sr. Advocate with
Ms. Taanvi Dhull, Ms. Sonia Monga and
Mr. Raghu Chadha, Advocates for the petitioners.

Mr. Sandeep Kumar, DAG Punjab.

Mr. Rajesh Batheja, Advocate
for respondent No. 2.

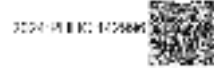
Harpreet Singh Brar J.(Oral)

1. The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sahinta seeking quashing of FIR No.230 dated 15.10.2023 (Annexure P-1) registered at Police Station City Moga, District Moga under Sections 406/498-A/120-B of IPC as well as consequent proceedings arising therefrom.

2. The following order was passed on 03.10.2024:

“The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sahinta seeking quashing of FIR No.230 dated 15.10.2023 (Annexure P-1) registered at Police Station City Moga, District Moga under Sections 406/498-A/120-B of IPC as well as consequent proceedings arising therefrom.

Mr. Rajesh Bhatheja, Advocate has put in appearance on behalf of respondent No.2/complainant and filed



his vakalatnama which is taken on record. Registry is directed to tag the same at the appropriate place.

Learned senior counsel for the petitioners as well as learned counsel for respondent No.2 jointly submits that during the pendency of the present petition, the dispute between the parties has been amicably resolved and a written compromise has been effected on 25.09.2024. As such, a joint prayer has been made to direct the parties to record their statements in terms of the compromise and the present petition be quashed on the basis of compromise dated 25.09.2024. It is further submitted that total settled amount of Rs.17.50 lacs on account of permanent alimony towards past, present and future claims of respondent No.3 has already been given.

It is further submitted that respondent No.3 is currently residing in Canada and she cannot physically appear before the learned Illaqa/jurisdictional Magistrate for recording her statement in terms of the compromise, therefore it is prayed that her statement be recorded through video conferencing.

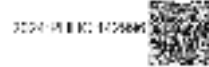
Adjourned to 04.11.2024.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaqa Magistrate within two weeks from today or any other date convenient to the trial Court/Illaqa Magistrate, to get recorded their statements regarding compromise and after recording their statements, learned trial Court/Illaqa Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 04.11.2024.

The Court below is directed to record the statement of respondent No.3 through video conferencing.

A copy of the order be sent to learned trial Court/Illaqa Magistrate through fax for compliance.”

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. Status report by way of affidavit of Ravinder Singh, PPS, Deputy Superintendent of Police (City), Moga, District Moga has been filed by learned State counsel. Same is taken on record.
5. 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.230 dated 15.10.2023 (Annexure P-1) registered at Police Station City Moga, District Moga under Sections 406/498-A/120-B of IPC along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

04.11.2024
Ajay Goswami

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