

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

244

**Criminal Misc. No.M-32641 of 2014
Date of Decision: 25th August, 2015**

Shilpa Kwatra and others

....Petitioners

Versus

State of Haryana and another

....Respondents

CORAM: Hon'ble Mrs. Justice Daya Chaudhary

1. Whether reporters of local newspapers may be allowed to see judgment? Yes/No
2. To be referred to reporters or not? Yes/No
3. Whether the judgment should be reported in the Digest? Yes/No

Present: Mr. Parshotam Lal Singla, Advocate for the petitioner.

Mr. Baljinder Singh Virk, DAG, Haryana.

Mrs. Kiran Bala Jain, Advocate for respondent No.2.

DAYA CHAUDHARY, J.

The present petition has been filed under Sections 407 read with Section 482 Cr.P.C. for transfer of criminal complaint (Annexure P-2) and protest petition (Annexure P-4) pending before JMIC, Ambala, arising out of FIR No.243 dated 20.06.2011 under Sections 323, 506 IPC at Police Station Ambala City, which has been registered just a counterblast to the matrimonial proceedings initiated by petitioner No.1 in the Court at Phillaur, District Jalandhar whereby cancellation report has been filed by the prosecution agency after conducting investigation.

Since it is a matrimonial dispute and after hearing learned counsel for the parties as well as the parties who are present in the Court, it has been agreed by the parties to settle their dispute.

The respondent-husband and the petitioner-wife have agreed to part ways by way of divorce with mutual consent subject to following terms and conditions:

1. that a divorce petition under Section 13B of the Hindu Marriage Act will be filed within a period of one month from today before the appropriate Court i.e. at Panchkula.
2. that the respondent-husband shall pay an amount of Rs.2,65,000/- in lump sum including future maintenance to the petitioner-wife in the following manner:

(i) that the first installment of Rs.1,25,000/- shall be paid by the respondent-husband to the petitioner-wife in the shape of demand draft at the time of recording of first motion statement while filing the divorce petition.

(ii) the remaining amount i.e. Rs.1,40,000/- out of total amount, shall be paid at the time of second motion stage before the appropriate Court.

3. that both the parties also undertake that all the cases pending between them either of civil or criminal nature, will be withdrawn.

4. that in case, any lapse/breach is there on the part of either of the parties, he/she shall be at liberty to file an application for revival of this order.

All the proceedings pending from either side shall remain stayed.

The present petition is disposed of accordingly.

(DAYA CHAUDHARY)
JUDGE

August 25, 2015
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