

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M- 41623-2014 (O&M)

Date of decision: 25.3.2015

SURINDER SINGH CHHIKARA AND ORS

.....Petitioners

Versus

STATE OF HARYANA AND ANR

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.Ajaivir Singh, Advocate,
for the petitioners.

Mr.Rajesh Sheoran, Addl.A.G.Haryana

Mr. Gautam Dutt, Advocate
for respondent No.2.

Mr.B.S.Rathree, father of respondent No.2.

RAJ MOHAN SINGH, J.

CRM-9251-2015

This is an application for preponing the date of hearing of CRM-M No.41623 of 2014 from 7.7.2015 to some early actual date.

Learned counsel for both the parties as well as father of respondent No.2, present in Court, have no objection qua preponing of the date as the dispute is primarily arising out of matrimonial discord between petitioner No.3 and respondent No.2 and now the matter has been settled between the parties. Accordingly, the main

case is taken up today for hearing

Application stands disposed of accordingly.

CRM-M- 41623-2014

In the present petition, prayer is for quashing of FIR No. 427 dated 1.11.2013, registered under Sections 498-A/ 323/ 406 IPC at Police Station Sushant Lok, District Gurgaon (Annexure P-1) on the basis of compromise (Annexure P-2).

Learned counsel for the parties state that the matter was amicably settled before the Mediation and Conciliation Centre of this court on 4.11.2014 (Annexure P-2). Terms and Conditions of the agreement have already been complied with in letters and spirit.

Learned counsel for respondent No.2 accepts the factum of compliance on the aforesaid terms and conditions to the satisfaction of respondent No.2. As regards sub condition (e) of condition No.4 of the agreement, it is stated that an amount of ₹ 10,00,000/- stands paid through demand draft at the time of first appearance in the present quashing petition and the remaining amount of ₹ 20,00,000/- is to be paid through demand draft in the Court at the time of making statement for quashing of the FIR in this Court.

In compliance of sub condition (e) of condition No.4 of the agreement (Annexure P-2), Demand Draft No. 182024 dated 16.3.2015 in the sum of ₹ 20,000,00/- (photocopy placed on record as Mark 'A') has been handed over to father of respondent No.2 today, in the presence of learned counsel for respondent No.2.

Both the parties through their respective counsel have made categorical statement before this Court that now nothing survives between the parties as the divorce granted by U.K.Court has been accepted by them on account of this compromise and there will be severance of matrimonial status between them henceforth. All civil and criminal litigation pending between the parties stood culminated on account of this compromise.

According to this Court, the settlement arrived at between the parties would serve as everlasting tool in favour of petitioner No.3 and respondent No.2.

Resultantly, FIR No. 427 dated 1.11.2013, registered under Sections 498-A/ 323/ 406 IPC at Police Station Sushant Lok, District Gurgaon (Annexure P-1) along with entire subsequent proceedings, if any undertaken in pursuance thereof, stand quashed.

Petition stands disposed of accordingly.

(RAJ MOHAN SINGH)
JUDGE

March 25, 2015
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