

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO-M-202 of 2015

Date of Decision: 24.8.2015

Ankush Jindal

..Appellant

versus

Neha Jindal

..Respondent

CORAM: HON'BLE MR. JUSTICE RAJIVE BHALLA
HON'BLE MR JUSTICE SHEKHER DHAWAN

Present: Mr. Hem Raj Bhardwaj
Advocate, for the appellant.

Mr. G.S.Sandhu, Advocate,
for the respondent.

RAJIVE BHALLA, J. (ORAL)

Shri Ankush Jindal son of Shri Kewal Krishan Jindal,
resident of House no.237, Phase III-A, SAS Nagar (appellant)
and Neha Jindal wife of Shri Ankush Jindal, daughter of Shri
Tarsem Kumar Gupta, resident of House No.961, Heera Street,
Chamber Road, Moga (respondent) are present in court with
their respective counsel.

Counsel for the parties as well as the parties state
that they have resolved their differences. Ankush Jindal,
appellant, has agreed to withdraw the appeal and accept the
correctness of the decree of divorce. Neha Jindal respondent

has agreed to receive Rs.3,55,000/- in full and final settlement of any claim of maintenance prior, present or future or permanent alimony. The parties have also agreed that they shall withdraw/get quashed any proceeding, whether civil or criminal initiated by either party. Counsel for the parties pray that statements of the parties be recorded. Statements of the parties have been recorded separately. Statement made by Ankush Jindal appellant, on 24.8.2015, reads as follows:-

“ I accept the correctness of judgment and decree dated 19.3.2015 passed by Additional District Judge, Moga in HMA No.47 dated 16.9.2013, Neha Jindal versus Ankush Jindal and withdraw the present appeal filed against the aforesaid judgment and decree. I shall pay a sum of Rs.3,50,000/- to Neha Jindal in full and final settlement towards any claim of maintenance or permanent alimony that she may have in the past or at any time in the future. I undertake to withdraw two private complaints, namely, complaint under Sections 120-B, 323, 325, 201 IPC and complaint under Sections 500, 120-B IPC, before the Judicial Magistrate 1 Class, Mohali and Human Rights Commission, Punjab, Chandigarh. I shall also ensure withdrawal of any complaint filed by me or any member of my family before any court, officer or

authority.”

Likewise, statement by Neha Jindal recorded on 24.8.2015 reads as follows:-

“ I accept the correctness of the statement made by Ankush Jindal and on receipt of Rs.3,50,000/- as permanent alimony, shall have no right to claim any permanent alimony or maintenance, past, present or future from Ankush Jindal or his estate. I shall not raise any claim with respect to any dispute arising out of this marriage.

I shall withdraw petition filed under Section 125 Cr.P.C and ensure quashing of FIR No.120 dated 11.9.2011 under Sections 406, 498-A IPC. I shall also ensure withdrawal/quashing of any other complaint that might have been filed by me or any member of my family before any police station or officer, court or other authority.”

Apart from the statements, the parties agree that the complaints filed by Ankush Jindal shall be withdrawn within 15 days from today. The amount of Rs.3,50,000/- shall be paid in two instalments. A sum of Rs.1,00,000/-shall be paid within one month on or before 24.9.2015. After payment of Rs.one lac, parties shall file a quashing petition. The remaining amount of Rs.2,50,000/- shall be paid to the respondent at the time of

disposal of the quashing petition. Complaints pending before any Court, officer or authority filed by either party shall be withdrawn within one month.

In view of what has been recorded hereinabove, particularly the statement made by Ankush Jindal, the appellant, the appeal is dismissed as withdrawn. The judgment and decree dated 19.3.2015 passed by the Additional District Judge, Moga, is affirmed. Liberty is granted to parties to seek revival in case either party refuses to abide by the terms and conditions of the settlement.

(RAJIVE BHALLA)
JUDGE

(SHEKHER DHAWAN)
JUDGE

24.8.2015
VK