

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

**Crl. Misc. No. M-34025 of 2015
Date of decision : 12.02.2016**

Smt. Chander Kanta

..... Petitioner

versus

State of Haryana & Anr.

... Respondents

with

Crl. Misc. No. M-35822 of 2015

Sachin Talwar

..... Petitioner

versus

State of Haryana & Anr.

... Respondents

and

Crl. Misc. No. M-43264 of 2015

Inder Kumar Talwar

..... Petitioner

versus

Nidhi Talwar

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present: Mr. Kunal Dawar, Advocate
for the petitioners.**

**Respondent Nidhi Talwar in person with
Mr. Arvind Sharma, Advocate and
Mr. Harish Bhardwaj, Advocate**

Mr. Surender Singh, AAG Haryana.

ANITA CHAUDHRY, J.

Annexures P-16 and P-17 are taken on record.

These petitions are aftermath of matrimonial discord
between Sachin Talwar and Nidhi Talwar. They were married on
06.05.2006. They have a child from the marriage. The couple could

not adjust with each other, leading to registration of FIR No. 198 dated 25.05.2014, under Sections 323, 406, 498-A and 506 IPC at Police Station Sector-7, Faridabad against husband Sachin Talwar, father-in-law Inder Kumar Talwar, mother-in-law Chander Kanta, sister-in-law Nisha Chanana and her husband Pramod Chanana. It appears that some compromise was arrived at between the parties and acting thereupon a petition under Section 13-B of the Hindu Marriage Act was filed. Statement of the parties were recorded at first motion stage and some amount was also paid to the wife. Respondent-wife claimed non-adherence of the terms and conditions of settlement by the husband and withdrew her consent. The petition was dismissed on 31.03.2015. The police filed challan against the husband and mother-in-law in the FIR. On 03.11.2015, the wife filed a complaint under the Domestic Violence Act against the father-in-law, sister-in-law and husband of sister-in-law. Notice of the complaint was given to the respondents therein.

Crl. Misc. No. 43264 of 2015 was filed by the petitioners Inder Kumar and others seeking quashing of the complaint under the Domestic Violence Act, while Crl. Misc. Nos. 34025 and 35822 of 2015 have been filed by mother-in-law and the husband seeking quashing of the FIR and subsequent proceedings taken therein.

During pendency of the petitions, the parties were given a chance to settle the matter. It was pointed out that good sense had prevailed and the parties had finally settled the

dispute. Compromise deed dated 14.01.2016 (Annexure P-16) was placed on record in Crl. Misc. No.M-34025 of 2015. It was pointed out that acting upon the compromise, the parties had appeared before the Division Bench of this Court where the petition under Section 13-B of the Act was allowed on 21.01.2016 and a decree for divorce with mutual consent had also been passed.

A perusal of compromise reveals that the husband was to pay Rs.1,33,00,000/- to the wife in respect of permanent alimony before 13.02.2016. In turn the wife had to perform certain actions as enumerated therein.

Respondent Nidhi is present in Court in person today. She has given the statement to the following effect:-

"I have received the Demand Draft (DD) of Rs.1,33,00,000/- (Rupees one crore and thirty three lacs only) bearing No. 001062. I undertake to resign from all the concerns of the husband as agreed by me in terms of the compromise. I shall also withdraw the complaint filed by me under Section 125 Cr.P.C., under the Domestic Violence Act and the civil suit pending before the Faridabad Courts. I will file appropriate applications for preponment to withdraw the said cases."

Copy of demand draft has been placed on record. It is a case of matrimonial dispute and the parties have amicably settled the dispute and have parted ways. The conditions have been fulfilled by the husband. The wife has to withdraw the cases pending between the parties, apart from resigning from the

concerns of the husband. Since the parties have compromised the matter, no useful purpose would be served in keeping the FIR pending. In view of the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh & Ors. Vs. State of Punjab & Anr. 2007(3) RCR(Crl.) 1052**, approved by Hon'ble the Apex Court in **Gian Singh Vs. State of Punjab & Ors. 2012(10) SCC 303**, the petitions bearing Crl. Misc. Nos. 34025 and 35822 of 2015 are allowed and the aforesaid FIR and all consequent proceedings conducted therein are quashed. Crl. Misc. No. 43264 of 2015 had been withdrawn by counsel for the petitioners, in view of the statement made by the respondent.

Needless to say that parties shall remain bound by the terms of compromise and their statements made in the Court below.

February 12, 2016
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(ANITA CHAUDHRY)
JUDGE