

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

CRM-M No.34159 of 2015
Decided on 17.02.2016

Seema Rani

.... Petitioner

versus

State of Punjab & ors.

.... Respondents

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Sandeep Gahlawat, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG, Punjab.

Mr. Sunil Chadha, Sr. Advocate with
Ms. Swati Verma, Advocate
for respondents No.2 & 3.

1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Ajay Tewari, J.(Oral)

The present petition has been filed for cancellation of bail granted to respondents No.2 & 3 in case FIR No.21 dated 23.04.2015 registered under Sections 406/498-A IPC at Police Station Women Cell, Patiala.

With the intervention of learned counsel for the parties, the entire dispute has been settled.

Learned Senior counsel on instructions from his client has stated that respondent No.2 is ready to pay an amount of ₹ 12 lacs in full and final settlement for all claims of the petitioner towards istri dhan, maintenance, marriage expenses and permanent alimony provided that the parties dissolve this marriage by way of decree of divorce by way of mutual consent and the complainant cooperates with

the respondent in quashing the FIR on the basis of today's compromise.

Learned counsel for the petitioner has accepted the same in principal but states that the car, which was given in the marriage, is lying with the police and the police is not giving them back even on superdari.

Learned counsel for the respondent as well as State counsel have no objection in this regard.

Learned counsel for the petitioner further stated that cooperation in quashing the FIR will be done only after entire money is paid and divorce is granted.

This is accepted to counsel for respondent No.2.

Learned counsel for respondent No.2 submits that after the grant of anticipatory bail, for some time, petitioner and respondent No.2 lived at Panchkula but separated due to differences between them. Some articles and necessary documents of respondent No.2 are lying in that accommodation and he should be allowed to take the same.

Learned counsel for the petitioner would have no objection if the respondent takes any article, which are lying in the said premises.

Parties are directed to meet in the chamber of Sh. Kundan Singh Nagra, Advocate at Patiala for filing the divorce petition by way of mutual consent. On the first date of hearing, respondent No.2 will pay an amount of ₹ 6 lacs by way of draft in favour of the petitioner. On the date of second hearing, respondent No.2 will make the remaining payment of ₹ 6 lacs to the petitioner by way of demand draft. The petitioner is also entitled to take the car and other articles

lying with Women Cell, Patiala and after grant of divorce, respondents No.2 & 3 will be entitled to file a petition for quashing of FIR on the basis of today's compromise and it would not be necessary for the petitioner to appear and give consent for the same.

Till then, further proceedings in FIR shall remain stayed.

With the above observations, the present petition stands disposed of.

17.02.2016
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(Ajay Tewari)
Judge