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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 103/2016

KARUNA GROVER

..... Petitioner

Represented by: Mr.Talha A Rehman,
Mr.Ujjwal Singh, & Mr.Shoeb
Alam, Advs with petitioner.

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondents

Represented by: Mr.Arun Kumar Sharma, APP
for the State with SI Rajender
Singh, PS Malviya Nagar.
Mr. Raj Kapoor, Adv for R2.

CORAM:

HON'BLE MR. JUSTICE SURESH KAIT

ORDER

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08.02.2016

1. Vide present petition under Section 439(2) of the Cr P C, petitioner/complainant seeks direction thereby cancellation of anticipatory bail granted to respondent No.2/accused vide order dated 02.03.2015 by this Court in Bail Application No.282/2015.

2. The petition has been filed on the ground that respondent No.2 has not complied with the settlement dated 25.02.2015 entered into between the parties.

3. Learned counsel for petitioner submits that first motion petition for divorce has been allowed on 16.04.2015 and as per the settlement,

respondent No.2 was supposed to move the second motion petition within 15 days on expiry of statutory period of six months. However, respondent No.2 has neither deposited the balance amount of Rs.15,00,000/- nor has cooperated the petitioner for moving the second motion petition.

4. Pursuant to the order dated 04.02.2016, learned counsel for respondent No.2 on instructions submits that respondent No.2 is ready to deposit the balance amount of Rs.15,00,000/- with learned Family Court concerned within two weeks and also submits that respondent No.2 is employed in Merchant Navy and presently is on assignment. He is expected to return to India in the month of June, 2016. On return, within two weeks he will cooperate the petitioner and move the second motion petition.

5. Learned counsel for petitioner in view of the statement made by learned counsel for respondent No.2, seeks permission to withdraw the instant petition.

6. Permission granted, as prayed for.

7. I hereby make it clear that respondent No.2 shall deposit the balance amount of Rs.15,00,000/- within two weeks with learned Family Court concerned. On deposit of said amount, the petitioner is at liberty to withdraw the same on taking requisite steps by her.

8. It is also made clear that if respondent No.2 fails to move the

second motion petition jointly with petitioner by 15th July, 2016, the petitioner shall be entitled to receive further amount of Rs.1,50,000/- from him over and above agreed amount between them.

9. In above terms, instant petition is dismissed as withdrawn.

SURESH KAIT, J

FEBRUARY 08, 2016

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