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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 2566/2011**

**ARVINDER SINGH PAL**

..... Petitioner

Represented by: **Mr. S.P. Mehta, Advocate.**

versus

**UPASANA SINGH**

..... Respondent

Represented by: **Mr. Praveen Agarwal,  
Advocate.**

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

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**14.09.2016**

**Crl. M.A. No. 14292/2016 (Exemption)**

Allowed, subject to all just exceptions.

**Crl. M.A. No. 14291/2016 (directions)**

1. By this application the respondent/applicant seeks permission to start litigation/institute fresh cases against the petitioner/non-applicant for the reason he has concealed material facts at the time of earlier settlement.
2. The above noted petition, that is, Crl. M.C. No. 2566/2011 was disposed of vide order dated 19<sup>th</sup> February, 2013 in terms of the following order:

*“Counsel appearing for the petitioner submits that both the parties have amicably settled all their disputes in terms of the compromise deed dated 16<sup>th</sup> February, 2013. Counsel also submits that both the parties have agreed to withdraw the respective cases filed by them against each other in terms of the said settlement. Based on the said compromise*

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*arrived at between the parties, counsel for the petitioner seeks to withdraw the present petition. The present petition filed by the petitioner is accordingly dismissed as withdrawn. Both the parties shall remain bound by the terms of the compromise deed dated 16<sup>th</sup> February, 2013.”*

3. Clause-7 of the settlement deed dated 16<sup>th</sup> February, 2013, copy whereof is at pages 199-204 of the paper-book, arrived at between the parties provides as under:

*“7. It is agreed that both the parts will not file any civil/criminal proceedings against each other in future.”*

4. The respondent/applicant seeks waiver of this condition in view of the fresh facts revealed to the respondent/applicant.

5. In case the parties have not been able to live their lives as agreed by them vide compromise deed dated 16<sup>th</sup> February, 2013 and fresh causes of action have arisen to them, they would be at liberty to take actions in accordance with law.

6. Application is disposed of.

**MUKTA GUPTA, J.**

**SEPTEMBER 14, 2016**

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