

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-2085-2017

Date of Decision:- 28.02.2017

Poonam Kaushik and another

....Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. R.S. Mamli, Advocate,
for the petitioners.**

Ms. Mahima Yashpal, AAG, Haryana.

RITU BAHRI, J. (Oral)

Petitioners have filed the present petition for seeking permission to go abroad i.e. Karlsruher Institut for Technolgie in Germany from 20.03.2017 to 15.05.2017.

Learned Additional Sessions Judge, Panchkula, vide order dated 25.04.2016 (Annexure P-2) has dismissed the anticipatory bail application filed by petitioner No.1 Poonam Kaushik. Thereafter, petitioner No.1 has approached this Court by way of CRM-M-14929-2016 and the interim bail has been granted to her, vide order dated 03.05.2016.

Complainant has put in appearance in the said case and the statement with

regard to compromise has been made by her counsel in the Court.

Today, learned counsel for the petitioner has placed on record the copy of compromise deed effected between the parties on 16.02.2017. As per the said compromise, it has been agreed between the parties that husband Ankur Kaushik will pay the sum of ₹15 lacs to the complainant in two installments i.e. ₹7.50 lacs each. First installment will be paid at the time of filing the petition under Section 13-B of Hindu Marriage Act, for taking the divorce by way of mutual consent. Second installment of ₹7.50 lacs will be paid at the time of final motion when the statement will be made in the Court at final stage.

Further, the complainant is found to withdraw the petition under Section 125 Cr.P.C. and the petition under Protection of Women from Domestic Violence Act, 2005.

Simultaneously, Ankur Kaushik (husband) will file the petition for quashing of FIR No.0005 dated 03.02.2016, under Sections 323/406/498A/506 IPC, registered at Women Police Station, Panchkula and complainant (wife) is bound to make the statement for quashing on the basis of compromise.

Learned counsel for the petitioners submits that presently Ankur Kaushik (son of petitioners) is abroad and petitioner No.1 before going to Germany will make the first statement on behalf of her son and also make the payment ₹7.50 lacs to the complainant.

Keeping in view the above-said facts, the permission is granted to the petitioners to go Germany from 20.03.2017 to 15.05.2017, subject to the condition that they will make the payment of ₹7.50 lacs at the time of

filing of the petition under Section 13-B of the Hindu Marriage Act and

subject to furnishing of heavy sureties before the trial Court. Further, the petitioners are directed to return back to India on 16.05.2017 positively.

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

February 28, 2017
naresh.k

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No