

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

Crl. Misc. M-27738-2017 (O&M)

Date of Decision: 14-11-2018

Mehjabeen

...Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Abhishek Singh, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Ashok Giri, Advocate
for respondent No.2.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Sections seeking exemption from personal appearance of the petitioner herein on the ground that the petitioner is the mother- in-law of the complainant-Alisha Zahra.

In brief, the facts are that an FIR was registered at the behest of the complainant under Sections 498-A, 406, 354, 377, 506, IPC, in which the petitioner herein had been named as an accused in the FIR. The petitioner herein had made an application for personal exemption on the ground that she was suffering from Cancer and unable to travel a distance of

almost 200 kilometers to attend the proceedings. The said application was contested by the complainant and came to be dismissed, against which order the petitioner herein approached this Court.

During the pendency of these proceedings, the matter was amicably resolved between the parties after the parties had been referred to the Mediation and Conciliation Centre of this Court where a settlement agreement has been arrived at. In terms of the said settlement, the son of the petitioner herein has made an interim payment of ₹8 Lac through demand draft.

Learned counsel appearing on behalf of the complainant admits to the factum of compromise having been arrived at. In these proceedings wherein it has been decided that the parties have agreed that they would part ways by way of getting their marriage dissolved/ filing a suit for declaration to that effect.

In view of the fact that thereafter a quashing petition has also been filed, which is CRM-M-36843-2018 seeking quashing of the FIR on the basis of compromise that has been arrived at and in view of the fact that the matter is compromised and by an order of even date in CRM-M-36843-2018 the quashing petition is allowed, no further orders are called for.

Petition stands disposed of, however, while disposing of this compromise petition, the complainant is directed to appear before the Family Court at Amroha in terms of order dated 05.10.2018 and suffer her statement therein. If for some reasons, the complainant does not put in an appearance on the date so fixed, the trial Court is requested to adjourn the case for a subsequent date but not later than a period of ten days. The

petitioner herein is also at liberty to approach this Court in case the complainant does not come forth.

Petition stands disposed of.

November 14, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No