

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

**CRM-M-40861-2013 (O&M)
Date of decision: 04.12.2018**

Kanak Israni

...Petitioner

Versus

Sunil Israni and others

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Sandeep Singh, Advocate, for
Mr. Shekhar Verma, Advocate,
for the petitioner.

Mr. Yogesh Goel, Advocate,
for the respondents.

JAISHREE THAKUR, J. (ORAL)

The instant petition under Section 482 Cr.P.C. has been filed by the petitioner for quashing of impugned order dated 16.12.2010 (Annexure P-1) passed by Judicial Magistrate Ist Class, Faridabad and order dated 29.10.2013 (Annexure P-2) passed by Addl. Sessions Judge, Faridabad, dismissing the complaint filed by the petitioner under Sections 498-A, 406, 323, 506 IPC.

The matter was considered before this Court and the parties were relegated to appear before the Mediation, however, the same failed. Subsequent thereto, the Court made an attempt to settle the dispute between the parties. It was agreed that respondent No.1-Sunil Israni would pay an amount of ₹ 11 lakh to the minor child born out of the wedlock towards all

claims of the petitioner and the minor qua maintenance, permanent alimony etc. Certain terms & conditions regarding the deposit of ₹ 11 lakh were also specified. The parties also decided to file a joint petition for divorce under Section 13-B of the Hindu Marriage Act within a period of one month with a further condition that the parties shall withdraw pending cases filed against each other or their relatives. Visitation rights were also settled by the said order.

Respondent No.1, thereafter deposited the amount of ₹ 11 lakh in the form of Fixed Deposit with the Registry. However, the visitation rights as settled in the agreement dated 02.05.2017 were not being adhered to which led to the respondent filing a Criminal Miscellaneous No. 20505 of 2018. The matter was taken up by the Court again and by order dated 29.05.2018, the visitation rights and the conditions therein were resettled. Both counsels, on instructions from the parties who are present in Court, submit that the visitation rights as per the order dated 29.05.2018 are being adhered to. It is also submitted that the amount of ₹ 11 lakh, which was lying deposited in the Registry has been released in favour of the minor.

In view of the fact that the matter has been settled amicably between the parties, no further interference is called for in the present case. However, before parting with this order, both the parties are directed to comply with the order dated 29.05.2018, leaving it open to either of them to approach this Court for further orders should the need so arise.

Petition stands disposed of.

04.12.2018

Satyawan

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)

JUDGE

Yes.

No.