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

CRWP-518-2018

Date of Decision : 25.06.2018

Darshan Singh

. . . Petitioner

Versus

State of Haryana and others

. . . Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Balraj Singh, Advocate
for the petitioner.

Mr. Deepak Grewal, D.A.G. Haryana.

Mr. R. S. Mamli, Advocate
for the complainant.

* * *

Avneesh Jhingan, J. (Oral) :

The prayer in this petition is for issuance of writ in the nature of Habeas Corpus for release of detainee Amandeep Kaur D/o Buta Singh-respondent no.5.

The petition has been filed by Darshan Singh S/o Pritam Singh stating that he and the detainee wanted to marry each other. In pursuance of the notice of motion issued vide order dated 15.06.2018, detainee namely Amandeep Kaur is present in the Court alongwith Mr. Tarun Saini, Deputy Superintendent of Police, Head Quarters, Kaithal, and her father namely Buta Singh-respondent No.5.

The matter was referred to the Mediation and Conciliation

Centre of this Court, where Amandeep Kaur-detainee got her statement

recorded and the same has been taken on record as Mark 'A'. She had come today alongwith her father and cousin brother Goldy. It has been stated that she is residing with her parents without any pressure or coercion and she had not been detained by her parents against her wishes. She had only a casual acquiescence with the petitioner in school days. She does not want to marry the petitioner and wants to go with her parents on her own free will.

Keeping in view the facts of the case, being major aged 28 years and knows good or bad for her. In view of her above statement the allegations of illegal confinement on her parents are incorrect.

No further interference is called for in the present petition.

During the mediation proceedings it was noted by the Mediator that in view of the above mentioned events, both the parties were pursuing or intended to pursue various proceedings against each other. With the intervention of the Mediator and learned counsel for the parties, both the parties i.e. Darshan Singh-petitioner and the family of Amandeep Kaur i.e. her father and cousin-respondents No.5 and 6 have entered into a compromise. The said compromise is taken on record and for ready reference, the same is made part of this order:-

1. Disputes and differences had arisen between the parties hereto and CRWP No.518 of 2018 titled as 'Darshan Singh Vs. State of Haryana and others' has been filed by the first party before the Hon'ble High Court. After hearing the arguments, the matter was sent to the Mediation and Conciliation Centre for recording statement of Amandeep Kaur.

2. The statement of Amandeep Kaur was recorded. During interaction with Amandeep Kaur it was noticed that two families are daggers drawn against each other and are likely to suffer mentally, physically and financially while pursuing litigation against each other. The statement of Amandeep Kaur was placed on the file and the matter was brought to the kind notice of Hon'ble Bench and a request was made for granting some more time to interact with parties and to take a try if entire dispute between the parties is resolved. As directed by the Hon'ble Bench, the parties were present in the Mediation and Conciliation Centre along with their respective counsels

namely Sh. Balraj Singh and Sh. R.S. Mamli, Advocates.

3. The parties today have resolved their dispute amicably with the assistance of Mediator without any pressure and undue influence.

4. The terms shall be binding upon the parties hereto and also on other family members.

5. Now the parties have agreed and accepted as under:-

(i) The misunderstanding between the parties have been removed by the parties with the active participation of Advocates from both sides as well as the friends and relatives accompanying them.

(ii) The parties have now decided that Amandeep Kaur and Darshan Singh do not want to marry with each other. Both shall be free to lead their life as per their own wishes. Amandeep Kaur has got her statement recorded as per directions of the Hon'ble High Court which is also part of the case.

(iii) Amandeep Kaur has come present in the Mediation and Conciliation Centre of Hon'ble High Court along with her father Sh. Buta Singh and cousin brother Goldy. Amandeep Kaur is leaving the Mediation Centre along with her father Sh. Buta Singh and cousin brother Goldy for her native place as per her free wishes and without any pressure and coercion.

(iv) The parties have agreed and accepted that with the signing of present settlement, entire dispute between the parties stand resolved and nothing remains pending.

(v) The parties have further agreed and accepted that from this moment onwards, dispute stands settled and none of the parties shall contact, call on phone or through SMS or in any manner interfere in the life of other side. The parties shall not in any manner disturb or interfere in the peaceful life of other side.

(vi) The parties have further agreed and accepted that none of the parties shall institute, pursue, file, start any unwanted litigation against the other party in respect of the dispute being settled today in the Mediation and Conciliation Centre.

(vii) The parties have further agreed and accepted that the complaint filed by Darshan Singh against Buta Singh and Goldy etc. shall not be pursued by Darshan Singh or any other family members. Similarly in respect of the dispute being settled today, Amandeep Kaur or Buta Singh or Goldy shall not institute or pursue or file any complaint or case against Darshan Singh or any other family member.

(viii) As informed by Darshan Singh, three mobile numbers i.e. 8708143216, 7082926367 and 7404733307 are issued on the I.D. Proof of Darshan Singh and SIM Cards of which, as per Darshan Singh are in the possession of Amandeep Kaur. Now the parties have decided that Amandeep Kaur shall try to trace the SIM Cards and shall hand over the same to Constable Jyoti-1103/KTL, presently posted in Women Police Station, Kaithal. In case the SIMs as mentioned above are not now traceable, it is further agreed between the parties that in future these numbers or SIM Cards shall not be used by Amandeep Kaur.

(ix) The parties have further agreed and accepted that in future none of the parties shall use or

show to anybody else in case any SMS or whatsapp message or any other digital information etc. including photograph is available with any of the parties.

(x) The parties have further agreed and accepted to make a joint prayer to the Hon'ble High Court for the disposal of the instant CRWP in view of the settlement arrived between the parties.

(xi) The parties have further agreed and accepted that in case any party backs out from the present settlement, in that event the other party shall be free to take remedy as available under Law.

6. The parties have further agreed and accepted that the dispute between the parties as on today stand settled with the execution of present compromise and there is no further claim of the parties against each other.

7. The parties have further agreed and accepted to abide by the terms of present settlement and to make statement before the Hon'ble High Court or before any other learned Court, if so directed by the Hon'ble High Court in this regard.

8. It has been further decided between the parties that in case of necessity, both parties shall be free to present the copy of the above compromise before any authority or court if the same is required to witness the execution of the compromise or to settle any pending controversy/case between parties.

9. The parties have gone through the contents and the same have been explained to the parties and after admitting the same as correct, have put their respective signatures.

10. That the parties undertake to abide by the terms/conditions set out herein and not to dispute the same hereinafter in future.

As parties have agreed to abide by the contents of the compromise, the writ petition is disposed of accordingly.

[AVNEESH JHINGAN]
JUDGE

June 25, 2018
Pankaj Baweja

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No.