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

+ **BAIL APPLN. 2480/2018 & CrI. M.A. No.3424/2018**

AVTARJEET SINGH MADAN Petitioner
Through: Mr. M. N. Dudeja, Mr. Neeraj Bhardwaj and
Mr. Anuj Chauhan, Advocates.

Versus

STATE (GOVT OF NCT OF DELHI) Respondent
Through: Mr. Rajat Katyal, Additional Public
Prosecutor for State.
Mr. Mehmood Pracha, Mr. R.H.S. Sikander,
Mr. Prateek Gupta, Mr. A. Chaliha and Mr.
Yashovardhan Oza, Advocates for
Complainant with Complainant in person.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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25.10.2018

The learned counsel for the petitioner states that the *lis* has indeed been settled between the parties by way of an Agreement dated 22.10.2018, whereunder the respondent No.2 – complainant is to receive an amount of Rs.7 lacs in full and final settlement of all her claims against the petitioner apropos her matrimonial discord. The parties have also agreed to part ways by seeking a divorce by mutual consent.

The learned counsel for the petitioner submits that in compliance of the aforesaid Agreement, the first motion for divorce under section 13B(1) of the Hindu Marriage Act, 1955, has been moved today.

The respondent No. 2 does not have a counsel, therefore, Mr. Mehmood Pracha, Advocate present in the Court is appointed as her counsel for the day. He states upon instructions that indeed a demand draft bearing No.292171, dated 22.10.2018, for Rs. 2 lacs, drawn on Canara Bank, Mahila Colony, Gandhi Nagar, Delhi, has been received by respondent No. 2, however, the said amount has not yet been credited into her bank account. Mr. Dudeja, the learned counsel for the petitioner assures the Court that the said financial instrument is good for encashment.

Since the parties have settled the *lis* amicably, it will be appropriate that no coercive measures are taken against the petitioners till all amounts are paid to respondent No. 2 in terms of the aforesaid Settlement.

Mr. Pracha submits upon instructions, that some personal belongings of respondent No.2, including her educational certificates, some of her jewellery and clothes, are still in the custody of the petitioner.

Mr. Dudeja, the learned counsel for the petitioner submits that all these matters were discussed before the aforesaid Settlement was arrived at. However, the educational certificate and such other items, as may be with the petitioner, shall be returned to respondent No.2 within 24 hours in the presence of the Investigating Officer. Let it be so done.

In view of the above, the petition, alongwith pending application, stands disposed-off.

It will be open to the parties to approach the Court in case of any difficulty.

NAJMI WAZIRI, J.

OCTOBER 25, 2018/sb