

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

COCF No.3119 of 2016

Date of Decision:11.01.2019

Pritam Singh

... Petitioner

Vs.

Ranjit Singh and others

... Respondents

CORAM : HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present : Mr. Veneet Sharma, Advocate
for the petitioner.

Mr. Sunil K. Nehra, Advocate
for the respondents.

NIRMALJIT KAUR, J. (Oral)

The present contempt petition has been filed for disobeying the order dated 23.9.2014 passed in CRM-M-26994-2014 alleging breach of the terms of the compromise. One of the conditions of the compromise was that both the husband and wife were to stay together, whether in India or abroad. Wife was also to cooperate for quashing of the FIR. Admittedly, the FIR was quashed with the consent of the wife on 23.9.2014. As soon as the said FIR was quashed, the husband sent the wife back to India on 16.11.2014. On 19.12.2018, the parties were directed to be present before this Court. Today, all the parties are present. This matter came up for hearing before lunch. The matter was passed-over to be listed after lunch. During the said period, parties were given time to sort out their differences. The matter was taken up again at 2:30 P.M.

Learned counsel for the parties on instructions from the respective parties stated that matter has been compromised. Both i.e. the husband namely Ranjeet Singh and the wife namely Mandeep Kaur have got

their statements recorded separately pursuant to the said compromise.

Wife-Mandeep Kaur has stated before this Court that she is ready to settle the dispute as full and final settlement in case respondent-husband namely Ranjeet Singh pays an amount of ₹ 50,00,000/- and she is allowed to have the custody of her daughter with no interference from her husband. She will have no objection to the grant of divorce and will also co-operate for filing of the petition under Section 13-B of the Hindu Marriage Act for grant of mutual divorce. She has further undertaken to withdraw all other cases registered by her and filed against her husband and his family members.

Similarly, the respondent-Husband namely Ranjeet Singh has given an undertaking that he will pay ₹ 50,00,000/- to the wife namely Mandeep Kaur in four equal instalments towards full and final settlement as per the statement made by him today. He further has no objection if the custody of the child is given to the mother Mandeep Kaur.

In view of the compromise having been arrived at between the parties as also taking into account their respective statements, the present contempt petition is disposed of with the following directions:

- (i) Respondent-Husband namely Ranjeet Singh shall hand-over a draft of ₹ 12,50,000/- in the name of wife namely Mandeep Kaur on 14.1.2019, the date when the case under the Domestic and Violence Act is fixed before the Court concerned subject to the withdrawal of the same by the wife namely Mandeep Kaur.
- (ii) 2nd instalment of ₹ 12,50,000/- shall be paid by the respondent-husband namely Ranjeet Singh on or before 31.1.2019 the date when the matter under Section 13-B of the Hindu Marriage Act is fixed for recording

of the first statement. The said amount shall be paid by way of demand draft in the name of wife namely Mandeep Kaur in the Court at the time when she makes the statement for grant of divorce.

(iii) 3rd instalement of ₹ 12,50,000/- shall be paid on 22.2.2019 on which date the trial Court shall adjourn the case fixed before it under Section 125-B Cr.P.C subject to the withdrawal of the same by the wife namely Mandeep Kaur by giving an undertaking that she will not execute the order earlier passed under Section 125 of Cr.P.C.

(iv) 4th and last instalment of ₹ 12,50,000/- shall be paid on the next date fixed before the trial Court for the final settlement to be made for grant of decree of divorce under Section 13-B of the Hindu Marriage Act.

(v) The parties shall not have any further claim against each other and their families.

(vi) The custody of the minor child will remain with the mother, Mandeep Kaur.

(vii) The said amount of ₹ 50,00,000/- is towards alimony and maintenance to both Mandeep Kaur and her child, dowry, residence etc. and is full and final settlement.

Both the parties shall be bound by their respective statements in respect of compromise arrived at between them.

With the above observations, contempt petition stands disposed of.

(NIRMALJIT KAUR)
JUDGE

11.01.2019
rajeev

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**