

206.

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

CRM-M-33845-2018

Date of decision:01.03.2019

SUBHASH CHANDER VERMA & ANR

... Petitioners

versus

STATE OF UNION TERRITORY CHANDIGARH AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Deepak Sabherwal, Advocate,
for the petitioners.

Mr. Rajiv Vij, Addl. P.P., UT, Chandigarh,
for respondent No.1.

Mr. Narinder Singh Pawar, Advocate,
for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.0037 dated 28.04.2018 registered under Sections 406, 498-A of IPC at Women Police Station, Chandigarh.

Vide order dated 08.08.2018, this Court had granted interim bail to the petitioners subject to their furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer and to comply the conditions as provided under Section 438(2) Cr.P.C. Thereafter, on 31.01.2019, this Court had passed the following order:-

*“Power of attorney filed on behalf of respondent No.2, is
taken on record.*

Considering the nature of controversy and the inclination shown by the parties, matter is referred to the Mediation & Conciliation Centre of this Court.

Parties are directed to appear before the Mediation Centre, on 05.02.2019 to work out the modalities of the compromise.

For awaiting report, adjourned to 01.03.2019.

Interim order to continue.”

A report from the Mediator has been received that the matter has been settled between the parties vide settlement agreement dated 20.02.2019.

Learned counsel for the petitioners has referred to para 8 of the agreement whereby a joint petition under Section 13-B of Hindu Marriage Act is required to be filed by the parties in the first week of April, 2019. Since the husband is residing in Australia, 13-B petition would be filed through the Special Power of Attorney. In para 8(e), the parties have agreed for a total amount of Rs.24 lakhs to be paid by the petitioners to respondent No.2-complainant towards full and final settlement of all the disputes including the permanent alimony and maintenance. The break-up of Rs.24 lakhs has also been given.

Learned counsel for the petitioners has handed over a bank draft of Rs.4 lakhs to respondent No.2-complainant, who is present in Court alongwith her counsel. The photocopy of bank draft bearing No.164637 dated 26.02.2019 of Punjab National Bank, is taken on record. Out of the remaining amount of Rs.20 lakhs, Rs.10 lakhs shall be paid at the time of filing of petition under Section 13-B of Hindu Marriage Act in the first week of April, 2019 and the remaining Rs.10 lakhs at the time of making final

statement in the proceedings under Section 13-B of Hindu Marriage Act.

In view of above, present petition is allowed and the order dated 08.08.2018 is made absolute.

The parties are directed to adhere to the terms & conditions of the settlement.

(HARI PAL VERMA)
JUDGE

01.03.2019
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No