

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO-M-150-2008 (O & M)
Date of decision: 16.07.2019

Rampal Singh

.... Appellant

V/s

Sunita Rani

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA
HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Rampal Verma, Advocate, for the appellant.

Mr. Mahender Singh Chahal, Advocate, for the respondent.

RAJAN GUPTA, J. (Oral)

During the course of hearing, parties have filed a joint affidavit.

Same is taken on record. According to the same, matter has been settled between the parties. Paras 2, 3 and 4 thereof read as under:-

“2. That now the matter has been settled between the parties with their own wishes and with the help of the relatives.

3. That the respondent-wife now ready to settle the matter and she has no objection if the divorce petition U/s 13(1) (ia) (ib) filed by the appellant-husband before the Ld. District Judge Bhiwani and present appeal be allowed. There is no dispute pending between the parties. The respondent-wife would withdraw all the cases which have been filed by her as per this settlement. The cases which are pending i.e. complaint under Section 12 of the Domestic Violence Act, 2005, FIR 238 dated 28.11.2003 U/s 294/509 IPC and FIR No.201 dated 19.02.2013 U/s 406, 498-A, 506 IPC and an application U/s 125 Cr.P.C. would be withdrawn as per this compromise by the respondent-wife.

4. That the compromise has been effected between the parties without any pressure and threat and as per above conditions”.

In view of the above, learned counsel for the appellant submits that he may be allowed to withdraw the appeal with liberty to file a petition under Section 13-B of the Hindu Marriage Act before the appropriate Forum with liberty to seek waiving of the statutory period of six months in light of judgment reported as '*Amardeep Singh versus Harveen Kaur, 2017 (3) SCC (Cri) 505*'.

Dismissed as withdrawn with liberty as aforesaid. Parties would, however, be at liberty to seek revival of the appeal in case any cause of action survives.

(RAJAN GUPTA)
JUDGE

(MANJARI NEHRU KAUL)
JUDGE

July 16, 2019
sukhpreet

Whether speaking/reasoned : Yes
Whether reportable : No