

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-8170 of 2019

Date of Decision: 15.01.2020

Rishav Tiwari

...Petitioner (s)

Versus

State of Punjab & another

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Aayush Gupta, Advocate
for the petitioner.

Ms. Ruchika Sabharwal, AAG, Punjab.

Mr. Mohit Jaggi, Advocate
for respondent no.2.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in case FIR No.0016 dated 21.01.2019 under Sections 406, 498-A IPC registered at Police Station Women, District Police Commissionerate, Ludhiana.

Vide order dated 10.12.2019, the matter was referred to the Mediation and Conciliation Centre of this Court and the parties were directed to appear before it. Pursuant thereto, the parties have appeared before the mediator.

Learned counsel for the petitioner states that with the efforts of the mediator, the matter has been compromised between the parties and

consequently, settlement/compromise dated 10.12.2019 has been reduced into writing. In terms of the aforesaid compromise, the petitioner is required to pay a total sum of Rs.20,00,000/- to respondent no.2-complainant, as permanent alimony for present, past and future. He further states that as against the settled amount of Rs.20,00,000/-, the petitioner has already paid a sum of Rs.10,00,000/- to respondent no.2, when her statement under Section 13-B of the Hindu Marriage Act, 1955 (for short, "the Act") was recorded, on first motion, whereas the remaining amount of Rs.10,00,000/- shall be paid at the time of recording statement on second motion of divorce petition.

Learned counsel for respondent no.2-complainant, on instructions from the complainant, who is present in Court, does not dispute the settlement/compromise dated 10.12.2019 and receipt of Rs.10,00,000/- on the first motion of the divorce petition.

In view of the fact that the matter has been compromised between the parties and pursuant thereto, a petition under Section 13-B of the Act has been filed, the present petition is allowed and the interim order dated 22.02.2019 is made absolute.

However, the petitioner shall pay the balance amount of Rs.10,00,000/- at the time of recording statement on second motion of the divorce petition.

January 15, 2020
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(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No