

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**283****CRM-35341-2023 in/and
CRM-M No.29604 of 2019 (O&M)
Date of Decision : 14.11.2023**

Gaurav Bhatia

....Petitioner

VERSUS

Shivani Bhatia and Others

....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Mukesh Rao, Advocate for the petitioner.

Mr. Manu Loona, Advocate for the respondents.

ALKA SARIN, J. (Oral)

1. This is a petition under Section 482 CrPC for quashing/setting aside the impugned order dated 07.04.2018 whereby the Chief Judicial Magistrate, Fazilka has granted maintenance of Rs.25,000/- per month to respondent No.1 and Rs.15,000/- per month to respondent No.2 and Rs.10,000/- per month to respondent No.3 from the date of institution of application under Section 125 CrPC, and also order dated 06.05.2019 passed by the Additional Sessions Judge whereby the appeal filed by the petitioner against order dated 07.04.2018 has been dismissed.

2. Learned counsel for the parties are *ad idem* that the parties have since entered into a compromise before the Mediation and Conciliation Centre of this Court, which stands reduced into writing on 16.08.2023. Vide order dated 06.11.2019 this Court had directed the petitioner to deposit 50% of the entire arrears of maintenance before the Registry of this Court. Subsequently, vide order dated 13.01.2020 the petitioner was directed to deposit two drafts -

one for an amount of Rs.4,56,500/- and one for an amount of Rs.4,00,000/-. As per the settlement between the parties, out of the total amount of Rs.8,56,500/- lying deposited in this Court, an amount of Rs.3,56,500/- is to be directly released to the respondents.

3. Learned counsel for the petitioner states that the petitioner would have no objection if an amount of Rs.3,56,500/- is directly released to the respondents.

4. Learned counsel for the respondents states that in this regard the respondents have also moved an application being CRM-35341-2023. Learned counsel for the respondents states that the said amount of Rs.3,56,500/- be released to the respondents as agreed between the parties vide compromise dated 16.08.2023.

5. Learned counsel for the parties are *ad idem* that the present petition itself can be disposed off in terms of the compromise dated 16.08.2023.

6. In view of the above, the Registry is directed to release an amount of Rs.3,56,500/- lying deposited in the Registry to the respondents.

7. Keeping in view the above facts, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to the petitioner to get the same revived in case the compromise does not go through.

8. Dismissed as withdrawn with liberty aforesaid. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

14.11.2023
jk

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO