

269

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

FAO-M-48-2017 (O&M)  
Date of decision: 12.12.2023

Deepinder Singh

... Appellant

Vs.

Gul Khushboo

... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH  
HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Ajaivir Singh, Advocate  
for the appellant.

Mr. P.S. Hundal, Advocate and  
Mr. Harnamanpreet Singh, Advocate  
for the respondent.

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SUDHIR SINGH, J. (ORAL)

CM-12003-CII-2023

For the reasons stated in the application, same is allowed.  
Compromise arrived at between the parties is taken on record as Annexure A-1  
subject to all just exceptions and exemption from filing certified copy thereof  
is granted.

CM-12004-CII-2023

Prayer in this application is for converting the main case into a  
petition under Section 13-B of the Hindu Marriage Act, 1955 (for short 'the

Act’).

Learned counsel for the applicant-appellant submits that a compromise has been effected between the parties and they have decided to part their ways on the terms and conditions contained in the said compromise.

Considering the fact that the matter has already been compromised between the parties, present application is allowed and main appeal is ordered to be converted into a petition under Section 13-B of the Act.

**CM-12007-CII-2023**

For the reasons stated in the application, same is allowed and the petition under Section 13-B of the Act jointly filed both the parties is taken on record.

**CM-12008-CII-2023**

Prayer in this application is for waiving off the cooling/statutory period of six months prescribed under Section 13-B of the Act.

Since the parties have decided to part their ways by way of mutual consent and they have effected a compromise, present application, which is duly supported by an affidavit, is allowed and cooling/statutory period of six months as prescribed under Section 13-B of the Act is waived off.

**FAO-M-48-2017**

Vide judgment and decree dated 07.01.2017 passed by the learned Additional District Judge, SAS Nagar (Mohali), the petition filed by the petitioner-husband seeking divorce under Section 13(1)(ia)(ib) of the Act, was dismissed.

Learned counsel for husband Deepinder Singh has handed over two cheques amounting to Rs.20.00 lacs each, one in favour of wife-Gul Khushboo and another in favour of daughter-Mannat, to learned counsel appearing for wife-Gul Khushboo in the Court today and xerox copies of the same are taken on record.

It is submitted that marriage between the parties was solemnized on 15.01.2007 and out of the said wedlock, one daughter namely Mannat was born. Due to some temperamental differences between the parties, the marriage could not go long way.

It is worth noticing that during pendency of the present appeal, with the intervention of respectables, the parties have arrived at a compromise and in view of the same, both the parties have filed their respective affidavits in the Court. The same are taken on record. In the affidavits, the parties have stated that the statements made by them on affidavits be read as their statements on the first and second motion for all intents and purposes.

From bare perusal of the record, it appears that the parties have been living separately since November, 2007.

For ready reference, the terms and conditions as contained in the compromise arrived at between the parties, would read as under: -

*“3. That with the intervention of the respectables and during the pendency of the appeal arising out of the divorce proceedings, both the parties have agreed to settle their dispute by way of present compromise. Both the parties have also agreed to file a*

*petition under Section 13-B of the HMA for dissolution of marriage by way of mutual consent and not to interfere in the life, liberty and enjoyment of each other in future.*

*4. That all the istridhan, articles have been settled amongst the parties. Deepinder Singh of the first party has agreed to give Rs.1,20,00,000/- (One Crore and twenty lakhs) in full and final settlement of all disputes and all cases civil or criminal appeals, revisions pending between the parties. This amount shall be shared 50:50 between petitioner No.2 and minor daughter. Party No.2 shall open an FDR in the name of Mannat and the entire amount of Rs.50 lacs of her part shall remain deposited in the FDR till she attains the age of majority. Rs.10,00,000/- (Ten lakhs) will be kept in the savings account of the daughter for her immediate needs. This amount has been paid as per offer of share in land of 2 acres in lieu thereof as per order dated 27.02.2022. However, petitioner No.2 can utilize the interest income of the said FDR for the betterment of the minor child upkeep and maintenance. After the minor child attains majority she would be at liberty to deal with the said amount as per her needs. The amounts paid to the wife and the child shall be in full and final settlement of all kinds of past, present and future maintenance/permanent alimony of any kind. The petitioner No.1 shall not be liable to pay any other amount beyond this or give*

*any share in any manner in any moveable or immovable property as well.*

*5. That the parties shall abide by terms and of the compromise. The mode of payment of Rs.1,20,00,000/- has also been settled. The first party shall pay a sum of Rs.40 lacs (Rs.20 lacs each) to party No.2 and the child at the time of signing the present compromise, mutual consent divorce and proceedings thereof. The second installment of Rs.40 ac (Rs.20 lac each) of the equal amount to be divided in same manner shall be paid at the time of grant of mutual consent divorce and the third installment of Rs.40 lac which shall be full and final payment in all respects shall be paid after the cancellation/quashing and withdrawal of all criminal/civil cases/litigation/appeal/revision etc. between the parties which shall be promptly done by the parties after signing the compromise.*

*6. The present compromise has been arrived between the parties with free consent and by mutual understanding.”*

In view of the aforesaid compromise effected between the parties, present petition is allowed and judgment and decree dated 07.01.2017 passed by learned Additional District Judge, SAS Nagar (Mohali), is set aside. The marriage between the parties is dissolved by a decree of divorce by way of mutual consent.

However, it is clarified that the parties shall remain bound by the

terms and conditions of the aforesaid compromise, which shall form part of the decree.

Decree sheet be drawn accordingly.

Pending application(s), if any, shall stand disposed of.

**[ SUDHIR SINGH ]**  
**JUDGE**

**[ SUMEET GOEL ]**  
**JUDGE**

12.12.2023  
*vishnu*

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No