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

Sr. No.205

CRM-M-47588-2024 (O&M)
Date of decision : 25.04.2025

Aditya Gajinkar

..... Petitioner

VERSUS

State of Punjab

..... Respondent(s)

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Mayur Karkra, Advocate,
Ms. Neha Dewan, Advocate and
Mr. Manmeet Binda, Advocate, for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

Mr. Sanjeev Roy, Advocate, for the complainant
Through video conferencing.

KIRTI SINGH, J. (Oral)

1. Prayer in the present petition filed under Section 438 Cr.P.C., is for grant of anticipatory bail to the petitioner, in case FIR No.97 dated 20.06.2024, under Sections 406 & 498-A IPC, registered at Police Station Women, District SAS Nagar (Mohali).

2. Vide orders dated 17.02.2025 & 01.04.2025, the parties were directed to appear before the Mediation & Conciliation Centre of this Court to explore the possibility of amicable settlement.

3. As per report dated 21.04.2025 received from the Mediation & Conciliation Centre of this Court, the matter has been amicably settled between both the parties and they have agreed to the following terms & conditions of the compromise/settlement:-

*a. That the parties have decided that the first party-
Aditya Gajinkar and second party-Aditi Negi shall part ways by*

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getting divorce from each other on the basis of mutual consent. It has been further agreed that the parties shall file a joint petition under Section 13-B of the Hindu Marriage Act for getting divorce with mutual consent on the basis of present settlement. The petition under Section 13-B of HMA shall be filed on or before 07.05.2025 before the competent Court of jurisdiction at SAS Nagar (Mohali). None of the parties shall level or pursue any allegation against each other. Both the parties shall be bound to make the statement, to file affidavit in support in the concerned learned Court on the date fixed by the said concerned Court. Both the parties have further agreed that they may move an application for waiving off the substantive period of six months as provided under Section 13B of the HMA.

b. It has been further agreed that the criminal case FIR No.97 dated 20.06.2024, under Sections 406 & 498-A IPC, registered at Police Station Women Cell, SAS Nagar (Mohali) shall not be pursued by second party-complainant Aditi Negi and shall not object for continuation of anticipatory bail granted to the first party. Second party further undertakes that she shall have no objection for the quashing of the above said case on the basis of this settlement. Complainant second party further undertakes that she shall execute affidavit and make statement in the Hon'ble High Court or as directed by the Hon'ble High Court for quashing of the above said FIR No.97 dated 20.06.2024. The quashing petition shall be filed on or before 15.05.2025.

c. It has been further agreed that first party-Aditya Gajinkar shall pay a consolidated amount of Rs.25,00,000/- to the second party Aditi Negi as permanent alimony and maintenance for past, present and future including claim of any Stridhan and gold articles. This amount of Rs.25,00,000/- shall be full and final and after payment of agreed amount and in the manner as agreed, no further amount shall be claimed by

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second party Aditi Negi in future on any account i.e. dowry articles and maintenance nor in future she would claim any right in the property of first party Aditya Gajinikar and his family. This aforesaid consolidated amount includes the arrears if any, as per order of Hon'ble Court.

d. The second party further undertakes that she shall not claim ay stridhan and gold items as being alleged in her complaint and subsequently in the FIR or in any other legal proceedings in the possession of first party after receiving the above mentioned consolidated amount.

e. It has been agreed between the parties that the amount of Rs.25,00,000/- shall be paid by first party in the following manner:-

i. One instalment of Rs.9,00,000/- in the shape of demand draft payable in the name of second party at the time of making first statement in the joint divorce petition under Section 13-B of HMA in the concerned learned Court.

ii. Other instalment of Rs.8,00,000/- in the shape of demand draft payable in the name of second party at the time of making final statement in the joint divorce petition under Section 13-B of HMA in the Court concerned.

iii. Another instalment of Rs.8,00,000/- in the shape of demand draft payable in the name of second party on the date fixed for recording statement of second party in the leaned Court concerned or as directed this Hon'ble High Court for quashing of FIR No.97 dated 20.06.2024 to be filed in this Hon'ble Court on the basis of present settlement.

iv. Second party Aditi Negi further undertakes that she shall withdraw the petition under Section 125 Cr.P.C. filed by her against first party which is pending before the learned Family Court at Kharar, District SAS Nagar (Mohali) for 21.05.2025 after recording of first statement and prior to making of final statement in the joint petition for divorce under Section 13-B of HMA.

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The present compromise/settlement will be full and final and no further claim for any alimony/maintenance and stridhan shall be claimed by the second party in the Court of Law.

4. Learned State counsel on instructions from SI-Baljinder Kaur submits that in compliance of order dated 23.09.2024, the petitioner has joined the investigation and is not required for any further investigation.
5. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 23.09.2024 passed by this Court, is hereby made absolute.
6. This order should not be treated as "blanket" order. It will not be read granting the petitioner(s) indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.
7. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the petitioner(s).
8. The accused-petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any police officer.
9. The accused-petitioner(s) shall not leave India without prior permission of the Court.
10. The accused-petitioner(s) shall join the investigation as and when called by the police.
11. It will be open to the police or the investigating agency to move to this Court for a direction under Section 483(3) of BNSS, 2023 (erstwhile

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Section 439(2) of Cr.P.C.) to arrest the accused-petitioner(s), in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.

Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

25.04.2025
Ramandeep Singh

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No