
(2010) 01 JH CK 0120
In the Jharkhand High Court

Hena Jha

APPELLANT

Vs

Rajeev Ranjan
 Rajeev Ranjan Vs Mrs. Heena Jha

RESPONDENT

Date of Decision : 08-01-2010

Acts Referred:

Constitution of India, 1950 — Article 226, 227
Criminal Procedure Code, 1973 (CrPC) — Section 482

Citation : (2010) 1 DMC 857

Hon'ble Judges : Pradeep Kumar, J;M.Y. Eqbal, J

Bench : Division Bench

Judgement

1. Reference may be made to the order dated 6.1.2010, which reads as under:

Pursuant to the last order passed by this Court, both the appellant and the respondent appeared in person. After some argument, both the parties are ready to settle the dispute amicably on the condition that the appellant-husband shall pay total sum of Rs. Eight lakhs to the respondent-wife. Both parties shall file joint compromise petition by the next date. Needless to say that in the compromise petition the appellant wife shall undertake to withdraw all the criminal proceeding filed against the appellant-husband.

2. Today the parties have filed a joint petition for compromise being I.A. No. 57 of 2010 in F.A. No. 82 of 2007. Para 2 of the interlocutory application is quoted herein below:

That because of the conciliations made by this Hon"ble Court, the parties to the instant appeal have agreed to resolve the disputes amicably on certain terms and conditions which are being reduced in writing and are reproduced hereunder:

(a) The both the parties have agreed to dissolve their marriage by a decree of divorce;

(b) That the respondent Rajeev Ranjan would pay a sum of Rs. 8,00,0001- (rupees eight lakh) in favour of the appellant Hena Jha in two equated installments within the stipulated time fixed by this Hon"ble Court by way of

demand drafts as full and final settlement towards all the claims of appellant Hena Jha, be it past, present or future:

(c) That after the receipt of the entire amount of Rs. 8,00,000/- the appellant Hena Jha shall withdraw the criminal case filed by her against the respondent Rajeev Ranjan and his family members being Complaint Case No. 192 of 2000 now pending in the Court of learned S.D.J.M. at Bokaro and in the alternative, the appellant Hena jha also agrees to render all possible cooperation/assistance in getting the entire criminal proceeding in connection with the said Complaint Case No. 192 of 2000 quashed by this Hon''ble Court in the event an application u/s 482 of the Code of Criminal Procedure and/or Article 226 and 227 of the Constitution of India is filed by the all or any of the persons arrayed as accused therein. It has been further agreed by the appellant Hena Jha that she would not raise any objection if such a petition is filed before this Hon''ble Court by all or any of the accused persons:

(d) That the appellant Hena Jha would also withdraw the execution case being Execution Case No. 5 of 2007 pending in the Court of Principal Judge, Family Court at Ranchi, which has been levied for execution of the decree dated 18st April, 2007 (sealed and signed on 01.05.2007) passed in Mat. Title Suit No. 5 of 2007 by the Principal Judge, Family Court at Ranchi;

(e) That after receipt of the amount of Rs. 8,00,000/- the appellant Hena Jha and her family members shall not have any further claim on the respondent or any of his family members in any matter connected with or arising out of the matrimonial disputes. Likewise, the respondent Rajeev Ranjan or any of his family members shall also not have any further claim on the appellant Hena Jha or her family members in any matter connected with or arising out of the matrimonial disputes.:

3. So far as the payment of Rs. 8,00,000/- (rupees eight lakh) is concerned, it shall be paid in two installments within two months i.e. by 15th March, 2010.

4. The F.A. No. 82 of 2007 is disposed of in terms of compromise. The decree is accordingly modified in terms of the compromise. Needless to say that the respondent shall withdraw all the criminal cases.

5. So far as F.A. No. 96 of 2007 is concerned, learned Counsel for the appellant seeks permission to withdraw the application in view of the settlement.

6. Hence. F.A. No. 96 of 2007 is dismissed as withdrawn.