

X!ITEM NO.1

COURT NO.6

SECTION IIA

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CRLMP NO. 5955 OF 2008 IN CRIMINAL APPEAL NO(s). 608 OF 2008

RAJEEV AGGARWAL & ORS.

Appellant (s)

VERSUS

UNION TERRITORY OF CHANDIGARH & ANR.

Respondent(s)

(With appln(s) for directions and office report)

Date: 03/09/2008 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE C.K. THAKKER

HON'BLE MR. JUSTICE D.K. JAIN

For Appellant(s) Mr. P.S.Patwalia,Sr.Adv.

Ms. Meenakshi Arora,Adv.

Mr. Mohit D.Ram,Adv.

For Respondent(s) Ms. Shomila Bakshi,Adv.for

Ms. Kamini Jaiswal,Adv.

Mr. Mohinder Jit Singh,Adv.

UPON hearing counsel the Court made the following
ORDER

The Criminal appeal is disposed of in terms of the signed
order.

[SUMAN WADHWA]
COURT MASTER

[VINOD KULVI]
COURT MASTER

Signed order is placed on the file.
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL MISCELLANEOUS PETITION NO. 5955 OF 2008

IN

CRIMINAL APPEAL NO. 608 OF 2008

RAJEEV AGGARWAL & ORS.

.. APPELLANTS

vs.

UNION TERRITORY OF
CHANDIGARH & ANR.

.. RESPONDENTS

ORDER

We have heard learned counsel for both the parties.

Aggrieved by the order passed by the High court of Punjab and Haryana on 23.3.2007, the present appeal is filed. By the impugned order, a prayer of the appellants of quashing criminal proceedings was rejected.

On April 27, 2007, notice was issued by this court and meanwhile further proceedings were also stayed. Thereafter, leave was granted and the matter is now registered as Criminal Appeal.

During the pendency of the appeal, the parties have entered into a settlement. Consent terms have been reduced in writing. They are signed by the parties as well as the learned counsel. The learned counsel for the appellants states that Appellant No.1-Rajeev Aggarwal is present in Court. A

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person who is present in Court states that he is Rajeev Aggarwal-appellant No.1. The learned counsel for the appellants also identifies the person to be Rajeev Aggarwal. He states that he has signed the consent terms. He has stated that the consent terms have been arrived at and he has signed those consent terms on his behalf as also on behalf of appellant Nos.2,3 and 4. Similarly, respondent No.2-Prerna Aggarwal is present in Court. Learned counsel appearing for her also identifies her to be Prerna Aggarwal respondent No.2. She states that she has voluntarily signed the consent terms. Consent terms are taken on record.

We have heard learned counsel for the parties on merits. In view of the facts and circumstances of the case, in our opinion, the criminal complaint deserves to be quashed pending at the Police Station in P.S.No.39/06 in FIR No.340.

In view of the settlement arrived at between the parties, the criminal appeal deserves to be disposed of. Accordingly the appeal is allowed. All criminal proceedings are quashed. Consent terms have been taken on record and has been made order of the Court.

It was stated that a divorce petition is pending in the competent court at Chandigarh. We grant liberty to both the parties to request the Court to pass an appropriate order on the basis of the consent terms. The Court will take appropriate action as expeditiously as possible.

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The appeal is accordingly disposed of.
Liberty to apply in case of any difficulty.

.....J.
(C.K. THAKKER)

.....J.
(D.K. JAIN)

NEW DELHI;
SEPTEMBER 3, 2008.