

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION(S)(CRIMINAL) NO(S). 190/2020

SHUBHANGI KHURANA

Petitioner(s)

VERSUS

KARAN DHINGRA

Respondent(s)

WITH
T.P.(Cr1.) No. 191/2020

O R D E R

Heard Mr. Sanjeev Agarwal, learned counsel appearing for the petitioner (wife). Also heard Mr. Varun Chawla, learned counsel appearing for the respondent (husband) and the in-laws, in the connected Transfer Petition (Cr1.) No. 191 of 2020.

Learned counsel for the parties has drawn the Court's attention to the Settlement Agreement dated 06.08.2020 to point out that the parties have amicably resolved their matrimonial disputes. Under the terms of the Settlement, a Joint Application is filed under Article 142 of the Constitution with the following prayer:

"A. Pass an order to grant a decree of divorce to dissolve the marriage between the parties/applicants in terms of the settlement agreement dated 06.08.2020 executed between the parties;

B. Further direct that both the parties shall remain bound by the terms and conditions of the settlement agreement executed between the parties dated 06.08.2020;

C. Pass an order to quash all the pending litigation and cases between the parties as mentioned in the settlement agreement dated 06.08.2020 and further restrain the parties from instituting or continuing any case against each other pertaining to the matrimonial issues."

The estranged couple(*Shubhangi Khurana*) and (*Karan Dhingra*) are personally participating in this proceedings and have conveyed their acceptance to move ahead separately.

A Demand Draft of Rs. 25 lakhs bearing No. 169036 dated 05.08.2020 drawn on Kotak Mahindra Bank payable at Ghaziabad, has been handed over by the respondent's counsel, in terms of the Settlement Agreement, and the same is received by the petitioner's counsel.

In view of above, the Court is satisfied that it will be just and proper to invoke the powers under Article 142 of the Constitution. Accordingly, a mutual Divorce is ordered between *Shubhangi Khurana* and *Karan Dhingra*. The decree be drawn up accordingly.

Further, in terms of the Settlement, the following civil and criminal cases filed by the parties and their family members shall stand quashed/withdrawn:

"1. One Case under the Protection of Woman from Domestic Violence Act, 2005 being Case No. 3761 of 2019 titled as "*Shubhangi Khurana vs. Karan Dhingra & Ors.*" Pending in the Court of ACJM, Court No. 6, Ghaziabad, U.P.

2. One case under Section 125 Cr.P.C. being CrI.Misc. Case No. 575 of 2019 titled as "*Shubhangi Khurana vs. Karan Dhingra*" pending in the court of Principal Judge, Family Court, Ghaziabad, U.P.

3. One case Crime No. 1984 of 2020 under FIR No. 154

of 2019 dated 11.08.2019 under Section 498A r/w 3 & 4 Dowry Prohibition Act titled State Vs. Karan Dhingra & Ors. pending before the Court of Shri Mahendra Kumar Rawat, A.C.J.M.-08, Ghaziabad, U.P.

4. One Criminal Complaint under Section 406 Cr.P.C. being Complaint Case No. 4471 of 2019 titled as "Shubhangi Khurana vs. Karan Dhingra" pending in the Court of A.C.J.M.-03, Ghaziabad, U.P.

5. One Complaint against the first party & her parents dated NIL made by the mother of the second party before P.S.D.L.F., Phase-II, Gurugram, Haryana."

With the above directions, Interlocutory Application No. 73692 of 2020 stands disposed of along with Transfer Petition (Cr1.) No. 190/2020 and the Transfer Petition(Cr1.)No. 191/2020.

.....J.
[HRISHIKESH ROY]

NEW DELHI;
SEPTEMBER 22, 2020.

