

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (CRIMINAL) NO. 250 OF 2020

MAHALAKSHMI PEELA

PETITIONER

VERSUS

TEJA SREE MALLA & ORS.

RESPONDENT

ORDER

1. I.A. No. 244151 of 2023 has been filed jointly by the respondent no.1-wife (Daughter in law of the petitioner) and respondent no.2-husband (Son of the petitioner) stating *inter alia* that on being referred to the Supreme Court Mediation Centre, they have been able to arrive at a settlement that has been reduced into writing on 21st September, 2023. Terms and conditions of the Settlement Agreement have been set out from paragraph 5 onwards. Amongst other terms and conditions of the settlement, both the parties have agreed that the Civil/Criminal cases filed by the parties against each other and/or their family members as detailed in paragraph 4 of the Settlement Agreement, shall be withdrawn by them. Physical custody of the minor child of the parties shall remain on a permanent basis with the respondent no.1-wife.
2. Respondent no.1-wife and respondent no.2-husband are present in Court along with their respective counsel.
3. A sum of ₹5,00,000/- (Rupees Five Lakhs only) has been paid by the respondent

no.2-husband to the respondent no.1-wife as one time maintenance for the minor child of the parties.

4. All the personal documents of the respondent no.2-husband, in the power and possession of the respondent no.1-wife, have been handed over to him.
5. Learned counsel for the parties state that in view of the fact that a comprehensive settlement has been arrived at between their clients, this Court may exercise its inherent jurisdiction under Article 142 of the Constitution of India to dissolve the marriage of the parties.
6. We have examined the Settlement Agreement, stated to have been arrived at between the parties of their own free will and without any undue influence or coercion. The parties shall remain bound by the terms and conditions of the settlement as recorded in the Settlement Agreement dated 21st September, 2023. All the cases pending between the parties, including those mentioned in paragraph 4 of the Settlement Agreement shall stand quashed. Neither the respondent no.1-wife, nor the respondent no.2-husband shall be left with any claim against each other or their family members insofar as alimony is concerned.
7. The aforesaid settlement is without prejudice to the rights of the minor child of the parties, who would be entitled to take appropriate legal recourse, if so advised, on her attaining the age of majority.
8. In view of the facts and circumstances of the instant case, we deem it appropriate to invoke the powers vested in this Court under Article 142 of the Constitution of India and dissolve the marriage between the respondent no.1-wife and the respondent

no.2-husband. A decree of divorce shall be drawn up accordingly.

9. The Settlement Agreement dated 21st September, 2023, is taken on record and made a part of this order.
10. We place on record our appreciation for the sincere work done by the Supreme Court Mediation Centre in facilitating the parties to arrive at a settlement.
11. The Transfer Petition is disposed of on the above terms. Pending applications are disposed of.

.....J.
[HIMA KOHLI]

.....J.
[AHSANUDDIN AMANULLAH]

NEW DELHI
MARCH 04, 2024

PS

ITEM NO.1

COURT NO.11

SECTION II-C

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

TRANSFER PETITION (CRIMINAL) NO. 250/2020

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(Mediation Report received)

(IA No. 244151/2023 - APPLICATION FOR DIVORCE, IA No. 124956/2020
- DELETING THE NAME OF PETITIONER/RESPONDENT, IA No. 73381/2020 -
EX-PARTE STAY)

Date : 04-03-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

For Petitioner(s) Mrs. K. Sarada Devi, AOR
Mr. R.Vijay Nandan Reddy, Adv.
Mr. V.krishna Swaroop, Adv.

For Respondent(s)
Mr. Nitesh Ranjan, AOR
Mr. Parijat Chandan, Adv.
Mr. Piyush Singh, Adv.
Mr. Ratish Karn, Adv.
Mr. Abhinav Gupta, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The transfer petition is disposed of in terms of the signed order,
which is placed on the file.

(POOJA SHARMA)
COURT MASTER (SH)

(NAND KISHOR)
COURT MASTER (NSH)