

IN THE SUPREME COURT OF INDIA

CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (CRL.)Nos.270-271 OF 2020

ISHA AKASH AGRAWAL @ ISHA SINGHALPETITIONER

VERSUS

AKASH NARESHCHANDRA AGRAWAL & ORS.RESPONDENTS

O R D E R

The Court is convened through Video Conferencing.

These two petitions have been filed by the petitioner - wife seeking transfer of (i) Cr. Misc. Appl. No. 3799 of 2018, titled as "Isha Akash Agarwal vs. Akash Nareshchandra Agrawal and ors.", pending before the Family Court at Pune under Section 23 of the Protection of Women from Domestic Violence Act, 2005 and (ii) Regular Criminal Case No.788 /2019, titled as "Isha Akash Agrawal vs. Akash Nareshchandra Agrawal and ors.", pending in the Court of Judicial Magistrate, First class, Pune under Sections 323, 504, 506, 498A read with Section 34 of the IPC and Section 4 of the Dowry Prohibition Act.

Both these cases have been instituted by the petitioner - wife against the respondent - husband and parents-in-law and are pending in the Court at Pune.

During the pendency of these proceedings, the parties have fortunately resolved their matrimonial dispute and they have entered into a settlement dated 22.02.2021. It is agreed to that the petitioner - wife shall not pursue the above-mentioned criminal cases, and the parties have decided to dissolve the marriage by mutual consent. In fact, the parties have already filed a joint petition in the Family Court at Pune in this regard but the same could not be taken up as the proceedings have been stayed by this Court on 16.09.2020.

In view of the above-mentioned subsequent developments

and in view of the fact that the parties have amicably resolved the matrimonial dispute, the instant transfer petitions have become infructuous and the same are disposed of accordingly.

Taking into consideration the settlement arrived at between the parties, proceedings in (i)Cr. Misc. Appl. No. 3799 of 2018, titled as "Isha Akash Agarwal vs. Akash Nareshchandra Agrawal and ors.", pending before the Family Court at Pune and (ii) Regular Criminal Case No. 788 /2019, titled as "Isha Akash Agrawal vs. Akash Nareshchandra Agrawal and ors.", pending in the Court of Judicial Magistrate, First class, Pune are hereby quashed by invoking the power under Article 142 of the Constitution.

This order is subject to the condition that the parties shall abide by the terms and conditions of the Settlement dated 22.02.2021.

Consequent upon disposal of these transfer petitions, pending interlocutory application also stands disposed of.

.....J.
(SURYA KANT)

NEW DELHI;
AUGUST 13, 2021

ITEM NO.13 Court 13 (Video Conferencing)

SECTION XVI-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Transfer Petition(s)(Criminal) No(s).270-271/2020

ISHA AKASH AGRAWAL @ ISHA SINGHAL Petitioner(s)

VERSUS

AKASH NARESHCHANDRA AGRAWAL & ORS. Respondent(s)

IA No. 89092/2020 - STAY APPLICATION

Date : 13-08-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

For Petitioner(s) Mr. Mrinal Gopal Elker, AOR

For Respondent(s) Mr. Vivek Sharma, AOR

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

The Court is convened through Video Conferencing.

The transfer petitions have become infructuous and the same are disposed of in terms of the signed order.

Consequent upon disposal of these transfer petitions, pending interlocutory application also stands disposed of.

(SATISH KUMAR YADAV)
DEPUTY REGISTRAR

(RAJ RANI NEGI)
DEPUTY REGISTRAR

(Signed order is placed on the file)