

IN THE SUPREME COURT OF INDIA  
CRIMINAL ORIGINAL JURISDICTION  
TRANSFER PETITION(CRL.)No.331 OF 2020

RAKA @ RAJNI PALIWAL & ANR.

... PETITIONERS

Versus

AKHILESH KUMAR PALIWAL

... RESPONDENT

WITH

T.P.(C) No.1040/2020

O R D E R

Heard learned counsel appearing on behalf of the petitioner - wife as also learned counsel appearing on behalf of the respondent - husband.

On 29.04.2022, at the joint request of learned counsel for the parties, the matter was referred to the Mediation Centre of the Supreme Court.

Today, it is brought to our notice that under the aegis of the Supreme Court Mediation Centre, the parties have resolved their matrimonial dispute and a settlement has been arrived on 09.09.2022. The learned counsel submits that according to the terms of Settlement Agreement, both the parties have agreed to withdraw the respective cases mentioned in para 4 of the said agreement.

On the above, the learned counsel appearing on behalf of

the respondent - husband points out that the cases are pending in various courts and, therefore, the counsel submits that an order be passed by this Court for closing of those proceedings. Such prayer is not opposed by the learned counsel for the petitioner - wife.

It is further pointed out in reference to Clause 7 of the Settlement Agreement that the respondent has to make over a total sum of Rs.75,00,000/- (Rupees Seventy Five Lakhs) out of which Rs.50,00,000/- (Rupees Fifty Lakhs) is to go to the petitioner - wife and Rs.25,00,000/- (Rupees Twenty Five Lakhs) is go to the daughter born out of the marriage. The first instalment that is Rs.50,00,000/- (Rupees Fifty Lakhs) is already handed over by the respondent - husband to the petitioner - wife.

The parties are agreed that they will now file a joint application for divorce by mutual consent before the Family Court.

Having considered the above submission advanced by the learned counsel for the parties, and after perusing the terms of Settlement Agreement, we deem it appropriate to dispose of these cases by directing the parties to abide by the terms of Settlement Agreement. The cases mentioned in paragraph 4 of the Settlement Agreement shall stand closed. The respondent will hand over the balance amount to the petitioner and the daughter by March, 2023 as agreed to between them. The parties will also file a joint memo within two weeks for order for dissolution of marriage by mutual consent. As the petitioner and the daughter are residing in Delhi, it will be appropriate for them to permit the joint application for dissolution of marriage by mutual consent be filed before the Family Court, Patiala House Courts, New Delhi. It is ordered accordingly.

All pending interlocutory applications also stand disposed of.

.....J.  
(K.M. JOSEPH)

.....J.  
(HRISHIKESH ROY)

NEW DELHI;  
NOVEMBER 04, 2022.

ITEM NO.28

COURT NO.5

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).331/2020

RAKA @ RAJNI PALIWAL &amp; ANR.

Petitioner(s)

VERSUS

AKHILESH KUMAR PALIWAL

Respondent(s)

(mediation report received.

IA No.116054/2020 - EX-PARTE STAY

IA No.116055/2020 - EXEMPTION FROM FILING O.T.)

WITH

T.P.(C) No. 1040/2020 (XVI-A)

(FOR ADMISSION and IA No.94397/2020-STAY APPLICATION and IA No.94398/2020-EXEMPTION FROM FILING O.T.

IA No. 94398/2020 - EXEMPTION FROM FILING O.T.

IA No. 94397/2020 - STAY APPLICATION)

Date : 04-11-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.M. JOSEPH

HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. Shivam Bajaj, Adv.  
Mr. Ashish Choudhary, Adv.  
Mr. Akash Tandon, Adv.  
Ms. Akanksha Tripathi, Adv.  
Mr. Anand Kamal, Adv.  
Mr. Akash Agarwal, Adv.  
Mr. Rohit Amit Sthalekar, AOR

For Respondent(s) Mr. Ashutosh Dubey, AOR  
Ms. Rajshri Dubey, Adv.  
Mr. Abhishek Chauhan, Adv.  
Mr. Amit P.Shahi, Adv.  
Mr. H.B. Dubey, Adv.  
Mr. Manish Dhingra, Adv.  
Mr. Amit Kumar, Adv.

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

The Transfer Petitions are disposed of in terms of the signed order.

All pending interlocutory applications also stand

disposed of.

(SATISH KUMAR YADAV)  
DEPUTY REGISTRAR

(MATHEW ABRAHAM)  
COURT MASTER (NSH)

(Signed order is placed on the file)