

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

I.A. NO.66846 OF 2022  
IN/AND  
TRANSFER PETITION (CIVIL) NO.2119 OF 2019

JIGYASHA SHARMA

PETITIONER(S)

VERSUS

RAHUL BHARDWAJ

RESPONDENT(S)

O R D E R

The parties have filed a joint application for placing on record the Settlement arrived at between them.

It appears that the relationship between the parties has irretrievably broken down and there is no possibility of reconciliation.

It has been agreed between the parties that the respondent-husband shall pay an amount of Rs. 37,00,000/- (Rupees Thirty Seven Lakhs Only) towards full and final payment of dues to the petitioner-wife.

It has further been agreed that both the parties shall pray to this Court to grant a decree of divorce by mutual consent and to quash/dispose of all the pending proceedings initiated by the petitioner-wife or the respondent-husband.

Two Demand Draft bearing Nos. 210769 and 210767 drawn on State Bank of India, Goa University Branch, Goa amounting to Rs.12,00,000/- and Rs.25,00,000/- respectively, have been handed over by the respondent-husband to the petitioner-wife, both of whom are personally present in the Court.

Taking into consideration the fact that the marriage was short lived for a period only of 73 days and that the relations are irretrievably broken, we find that it will be apposite to invoke our extra ordinary jurisdiction under Article 142 of the Constitution of India to give to an end to the marriage which is already dead, so that the parties can start a new chapter in their lives. It will also enable us to put an end to at least seven proceedings pending before different Courts.

In that view of the matter, the Settlement Agreement dated 20.04.2022 between the parties is taken on record.

The marriage between the petitioner-wife and the respondent-husband is dissolved. The Registry is directed to draw a decree of divorce by mutual consent.

The following proceedings initiated by the petitioner-wife and the respondent-husband before the different Courts shall stand withdrawn to this Court and are quashed/set aside:

- 1) First Information Report against Mr. Rahul Bhardwaj and family members bearing Registration No.0017 dated 02.02.2019 under Sections 498, 294, 506, 34 of IPC and Section 4 of Dowry Prohibition Act, 1961, before Mahila Thana, Gwalior [M.P.];
- 2) Petition under Section 9 of Hindu Marriage Act seeking restitution of Conjugal Rights under proceeding No.29A/18 before Family Court at Gwalior [M.P.];
- 3) Proceedings under Protection of Women from Domestic Violence Act, presently pending adjudication before Judicial Magistrate at Gwalior bearing No.93/19;

- 4) Proceeding in Criminal Revision, (arising out of 7/19 before Judicial Magistrate First Class A) due to delay at the stage of deciding application for condonation of delay registered under Cr.Misc. App. No.11/2020 pending adjudication before Additional Sessions Judge, South Goa, Margao Goa;
- 5) Matrimonial Petition No.62/2018 for divorce under Section 13 of Hindu Marriage Act 1954, before Civil Judge Senior Division Vasco Da Gama, Goa, designated family Court; and
- 6) Criminal Case/Private Complaint under Indian Penal Code bearing Case No.7/19 registered before Judicial Magistrate First Class "A" Vasco Da Gama Goa.

This court accepts the undertaking given by the parties that they shall abide by the terms and conditions incorporated in the Settlement Agreement and shall not initiate any further civil or criminal case against each other and/or their family members with regard to the matrimonial alliance.

Resultantly, I.A. No.66846/2022 is allowed and the Transfer Petition is disposed of in the aforementioned terms.

.....J.  
(B.R. GAVAI)

.....J.  
(HIMA KOHLI)

NEW DELHI  
MAY 30, 2022

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

Transfer Petition(s)(Civil) No(s). 2119/2019

JIGYASHA SHARMA

Petitioner(s)

VERSUS

RAHUL BHARDWAJ

Respondent(s)

(Counsel for parties has filed application under article 142 of the Constitution of India and the same is to be listed before Divisional Bench

IA No. 66846/2022 - APPLICATION FOR DIVORCE

IA No. 120429/2019 - STAY APPLICATION)

Date : 30-05-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI

HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Mr. Mohit Paul, AOR  
Mr. Bikram Dwivedi, Adv.

For Respondent(s) Mr. Aviral Saxena, AOR  
Mr. Harsh Srivastava, Adv.  
Mr. Vikas Jain, Adv.

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

IA No. 66846/2022 is allowed and the Transfer Petition  
is disposed of in terms of signed order.

All pending applications stand disposed of.

(NEETA SAPRA)  
COURT MASTER (SH)  
(Signed order is placed on the file)

(RANJANA SHAILEY)  
COURT MASTER (NSH)