

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

Petition(s) for Special Leave to Appeal (C) No(s). 1754/2019

(Arising out of impugned final judgment and order dated 23-08-2018 in DBCMA No. 3865/2018 passed by the High Court Of Judicature For Rajasthan At Jaipur)

PRIYANKA

Petitioner(s)

VERSUS

VAIBHAV MISHRA

Respondent(s)

IA No. 97591/2023 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 128760/2021 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

WITH

T.P.(CrI.) No. 142/2019 (XVI-A)

(MEDIATION REPORT RECEIVED***

IA No. 35736/2019 - EXEMPTION FROM FILING O.T.

IA No. 35735/2019 - STAY APPLICATION)

Date : 17-05-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE DIPANKAR DATTA

For Petitioner(s) Mr. R. P. Gupta, AOR
Mr. Binay Kumar Das, AOR

For Respondent(s) Mr. Pai Amit, AOR
Mr. Abhiyudaya Vats, Adv.
Ms. Pankhuri Bhardwaj, Adv.

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

1. It is submitted by learned counsel for the parties that a comprehensive settlement has been arrived at. In terms of the settlement, the proceedings initiated by either party against the

other have been agreed to be closed or quashed. Paragraph 5 of the joint application lists the cases- criminal as well as civil which the parties have agreed to settle. They are as below;

THE LIST OF CASES FILED AGAINST PETITIONER PRIYANKA ARE STATED AS UNDER:

1. FIR No. 1451/15 (497,420,323,341,211,386,506,120B IPC) filed by respondent against Petitioner vide FIR dated 05.12.2015 with Police Station; Sanganer Jaipur (East) pending before the Ld. Court of ACJ SD MM 20 Sanganer Jaipur. In this case Final Report No. 428/16 (420,323,341,211,386,506,120B IPC) dated 20.09.2016 has been submitted pending before the Ld. Court of Addl. Court of Chief Metropolitan Magistrate No. 20, Sanganer Jaipur.
2. Crime Case No. 4619/18 (420,406,120B, 384 IPC) dated 19.11.2018 before Police Station: Sanganer Jaipur (East) pending before Sanganer, District Court, Bambala, Jaipur, which has been sought to be transferred by petitioner from Jaipur to Lucknow vide Transfer Petition (Cr.) No. 142 of 2019 pending before this Hon'ble Court listed along with present SLP (Civil) No. 1754 of 2019.

LIST OF CASES FILED AGAINST VAIBHAV MISHRA ARE STATED AS UNDER:

1. Crime Case No. 73/2016 (498A,323,504,506,406 IPC) with Police Station- Mahila Thana, Lucknow pending the Ld. Court of Judicial Magistrate No. 2 Lucknow.
2. Family Case No. 282/2017 filed by Petitioner against the Respondent under Section 12 of Domestic Violence Act, 2005 with Police Station; Cantt, Lucknow pending before Ld. Court of Civil Judge (Junior Division) Room No. 50, Lucknow;
3. Criminal Misc. Petition No. 8291 of 2017 under Section 484 Cr. P.C. filed by Respondent for quashing of Family Case No. 282 of 2017 filed by petitioner under Domestic Violence Act, 2005 pending before Lucknow Bench of Hon'ble High Court.

The above criminal cases/complaints and FIRs are hereby quashed. Likewise Crl. Miscellaneous Petition NO. 8291/2017 is hereby disposed of and Family Case No. 282/2017, disposed of in terms of this order.

2. It is also stated by the parties that petitioner Ms. Priyanka would receive ₹37,00,000/-, in the form of three Demand Drafts (Nos. 48170,48171,48172). Furthermore, the parties have mutually agreed that their marriage should be dissolved by this Court in the exercise of its power under Article 142 of the Constitution of India.

3. The application is supported by the affidavit of both parties. The petitioner's father Mr. Gori Shankar Giri is present and he has produced his proof of identity (Adhar Card). A copy of the same has been taken on record.

4. After considering the application and the affidavits filed in support, this Court is satisfied that the parties have entered into a settlement and mutually agreed to dissolve all their disputes amicably. The application (IA No. 97591/2023) is accordingly allowed. It is hereby directed that the cases inter se (mentioned above) stand closed/quashed.

5. The marriage between the petitioner *Ms. PRIYANKA* and the respondent *Mr. VAIBHAV MISHRA* is hereby declared as dissolved in the exercise of this Court's power under Article 142 of the Constitution of India.

6. The Court places on record its appreciation for the efforts by Mrs. Kiran Bhardwaj, Mediator, who has assisted the parties in settling their disputes.

7. The Registry is directed to draw a decree in terms of the settlement, which is part of the record.

8. The SLP (C) No. 1754/2019 is disposed of and the connected T.P.(Crl.) No. 142/2019 stands dismissed. Pending applications, if any, are also disposed of.

(HARSHITA UPPAL)
SENIOR PERSONAL ASSISTANT

(MATHEW ABRAHAM)
COURT MASTER (NSH)