

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

Transfer Petition(s)(Criminal) No(s). 138-140/2019

SMRITI LAL

Petitioner(s)

VERSUS

ROOPESH KAPUR & ORS. ETC.

Respondent(s)

WITH

Transfer Petition(s)(C) No. 111/2020

O R D E R

These two petitions claim transfer of various proceedings. In T.P. (Crl) Nos. 138-140/2019, the transfer of criminal proceedings is sought whereas in T.P. (C) No. 111/2020, the transfer of divorce proceedings is sought.

With the intervention of this Court, the parties agreed to submit their disputes for a possible mediated settlement. This has resulted in a positive outcome in as much as ultimately a settlement was arrived at on 17.03.2021.

The terms of the mediation settlement (which was signed by both the parties) are comprehensive and finally settle all the disputes *inter se* between the parties. As a consequence, it has been agreed by the parties that all the criminal cases listed in para 1(i) to 1(vii) of the Mediation Settlement should result in a closure.

The parties have also agreed to end their marriage and consequently request the Court that the divorce proceedings should be ended. They have further requested this Court to dissolve their

marriage in view of the agreed settlement. This appears from a reading of para 3 of the Mediation Settlement.

In terms of the settlement, the petitioner - Ms. Smriti Lal is entitled to an aggregate sum of Rs.60 lacs. The husband - Mr. Roopesh Kapur has agreed to this and to pay the entire amount today.

In addition to the settlement, which are embodied in a written agreement, the parties have moved a joint application supporting the terms of the settlement. This application is duly supported by an affidavit.

Both Ms. Smriti Lal and Mr. Roopesh Kapur are present in the Court and the Court has elicited that the agreement was arrived at by consent by each of them.

Mr. Roopesh Kapur has handed over two demand drafts for Rs. 30 lakhs each bearing (i) DD No.005461 dated 12.03.2021/19.07.2021 drawn on HDFC Bank (ii) DD No.013188 dated 27.04.2021/11.08.2021 drawn on HDFC Bank to Ms. Smriti Lal. The validity period of demand drafts apparently has been expired. However, a request for re-validation of the drafts by a letter has been made and the original letter has been handed over to Ms. Smriti Lal.

In view of above, this Court is satisfied that the parties have entered into a lawful binding compromise which resolves all their *inter se* disputes fully and finally. Accordingly, the cases listed in para 1(i) to 1(vii) of the Mediation Settlement i.e. the criminal proceedings are hereby quashed and / or are hereby closed.

The marriage between the parties is hereby dissolved in exercise of this Court's jurisdiction under Article 142 of the

Constitution of India in the overall interests of the parties and to do complete justice to them. The Mediation Settlement shall be annexed as part of the order and shall form part of the decree of this court.

The transfer petitions are disposed of in the above terms.

.....J.
[K.M. JOSEPH]

.....J.
[S. RAVINDRA BHAT]

NEW DELHI;
AUGUST 31, 2021.

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)(Criminal) No(s). 138-140/2019

SMRITI LAL

Petitioner(s)

VERSUS

ROOPESH KAPUR & ORS.

Respondent(s)

(IA No. 25255/2021 - APPLICATION FOR PERMISSION and IA No. 14754/2019 - EXEMPTION FROM FILING O.T. and IA No. 25538/2021 - EXEMPTION FROM FILING O.T. and IA No. 25537/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No. 14751/2019 - STAY APPLICATION)

WITH

T.P.(C) No. 111/2020 (XVI-A)

(FOR EX-PARTE STAY ON IA 11452/2020 and FOR EXEMPTION FROM FILING O.T. ON IA 11453/2020)

Date : 31-08-2021 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE K.M. JOSEPH
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Petitioner(s) Mr. Gagan Gupta, AOR

For Respondent(s) Mr. S.C. Maheshwari, Adv.
Mr. Jabar Singh, Adv.
Mr. Vipul Maheshwari, Adv.
Mr. Parmod Kumar, Adv.
for M/S. V. Maheshwari & Co.

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.

Pending applications stand disposed of.

(MEENAKSHI KOHLI)
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)
BRANCH OFFICER

[Signed order is placed on the file]