

IN THE SUPREME COURT OF INDIA  
CRIMINAL ORIGINAL JURISDICTION  
TRANSFER PETITION (CRIMINAL) NO.28 OF 2013

DR. JAPNEET KAUR SEHDAVE .. PETITIONER

VERSUS

DR. KAMALJIT SINGH SEHDAVE & ORS. .. RESPONDENTS

O R D E R

Heard.

We had by our Order dated 2nd July, 2013 referred the parties to Mr. Justice Jaspal Singh and Mr. Justice R.S. Sodhi, former Judges of the Delhi High Court for mediation and a possible amicable settlement of all outstanding disputes. A report has now been received from the learned mediators a reading whereof shows that the parties have indeed resolved all the outstanding disputes on certain agreed terms and conditions.

One of the terms agreed to between the parties is that they will file a joint petition for dissolution of marriage before the Competent Court. The husband-respondent No.1 herein has also agreed to pay a lump-sum of Rs.1 crore to the petitioner-wife in full and final settlement of all her claims. Similarly custody of the children is also dealt with by the settlement.

An application for directions has no doubt been filed by petitioner-wife pointing out certain deficiencies but after arguing the matter at some length, learned counsel for the petitioner-wife agreed that the settlement as recorded could be approved with suitable clarification regarding deposit of Rs.1 crore agreed to be paid by the respondent No.1-husband. The apprehension expressed in regard to the deposit of Rs.1 crore is that the said amount has to be released in favour of the wife by the Family Court at the time of granting a decree for dissolution of marriage. It is submitted by learned counsel for the petitioner-wife that the husband has been given three months' time to deposit the amount of Rs.1 crore, in terms of the settlement, which amount could according to the learned counsel be deposited with the Court before whom the joint petition may be filed within three months from the date of the settlement so that the court concerned may be able to direct release of that amount on the date of the passing of the decree.

Counsel appearing for the husband has no objection to a suitable clarification being made, to the above effect.

In the circumstances, therefore, we dispose of this transfer petition leaving it open to the parties to take steps in accordance with the settlement arrived at with the help of the mediators and the report submitted by them to this Court.

We clarify that the respondent-husband shall deposit the agreed sum of Rs.1 crore with the Court before whom the joint petition may be filed by the parties for divorce. Deposit to be made within three months from today.

We further direct that all proceedings pending before the courts concerned shall remain stayed pending disposal of the joint petition that the parties may file for divorce by mutual

consent.

The parties shall after the disposal of the joint petition be free to move the competent courts for quashing/dismissal of the cases instituted by them against each other. No costs.

.....J.  
(T. S. THAKUR)

.....J.  
(VIKRAMJIT SEN)

NEW DELHI  
DATED : 08TH OCTOBER, 2013.

ITEM NO.39 COURT NO.7 SECTION XVIA

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 (CRL.) NO(s). 28 OF 2013

JAPNEET KAUR SEHDAVE Petitioner(s)

VERSUS

KAMALJIT SINGH SEHDAVE & ORS. Respondent(s)

(With appln(s) for directions,stay and office report )

Date: 08/10/2013 This Petition was called on for hearing today.

CORAM :  
HON'BLE MR. JUSTICE T.S. THAKUR  
HON'BLE MR. JUSTICE VIKRAMAJIT SEN

For Petitioner(s) Mr. Maheen Pradhan, Adv.  
Mr. Amit Sharma,Adv.

For Respondent(s) Mr. Raj Shekhar Rao, Adv.  
Mr. Govind Manoharan, Adv.  
Ms. Sony Bhatt, Adv.  
Ms. Gauri Puri, Adv.  
Mr.Senthil Jagadeesan,Adv.

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

Heard.  
The transfer petition is disposed of in terms of the signed order. No costs.

(GEETA AHUJA) (VEENA KHERA)  
SR. P.A. COURT MASTER  
(Signed order is placed on the file)

