

|J1

IN THE SUPREME COURT OF INDIA  
CRIMINAL ORIGINAL/APPELLATE JURISDICTION  
CRLMP.D NO.98925/2015

IN  
CURATIVE PETITION (CRL) NOS.39-40/2013

IN  
CRIMINAL APPEAL NOS.435-436/2014

MONICA  
PETITIONER(S)  
VERSUS  
BHASKAR LAL SHARMA AND ORS.  
RESPONDENT(S)

WITH  
REVIEW PETITION (CRIMINAL) NOS. 151-152/2016  
IN

CRIMINAL APPEAL NOS.435-436/2014  
BHASKAR LAL SHARMA AND ANR.  
PETITIONER(S)  
VERSUS  
MONICA AND ANR.  
RESPONDENT(S)

O R D E R

Review Petition (Crl.) Nos. 151-152/2016

1. Delay of 703 days in filing the review petitions is condoned.

2. By judgment and order dated 18 th February,

2014, we had disposed of Criminal Appeal Nos. 435-436 of 2014 by directing that the trial of the criminal cases instituted at the instance of the respondent (wife) shall continue and further that

2

the issue with regard to the maintenance etc. shall also be dealt with by the jurisdictional family Court. The respondent (wife) unsuccessfully sought a review of the said order. Thereafter, the respondent (wife) has filed application(s) in the curative petitions filed by her seeking certain orders/directions. Simultaneously the review petitioner (husband) has filed these review petitions seeking review of the order dated 18 th February, 2014 primarily on the ground that in the mean time parties have settled the matter on the following terms :-

1. Ms. Monica shall receive a total sum of Rs.2,50,00,000 (Rupees two crores fifty lacs only) towards full and final settlement of all her claims for maintenance/alimony/ stridhan and in full and final settlement of all her disputes pending in several courts.

2. The said amount Rs.2,50,00,000 (Rupees two crores fifty lacs only) shall be deposited with the Registrar Supreme Court of India within 60 days from the day of this order.

3. Within a week of the said amount Rs. 2,50,00,000 (Rupees two crores fifty lacs only) being deposited as aforesaid, Ms. Monica shall withdraw the execution petition filed for recovery of her maintenance arrears and Mr. Vikas Sharma

3

shall withdraw his petition U/s 13(1)(ia) Hindu Marriage Act, titled &#39;Vikas Sharma Vs. Monica&#39;, both pending before the Family Court, Saket, New Delhi.

4. Within a week the withdrawal of the said Petitions as aforesaid, Ms Monica and Mr. Vikas Sharma shall file a joint petition

for dissolution of their marriage by mutual consent before Family Court, Saket, New Delhi. In view of the long standing dispute the period of six months which is required between the First and Second Motion shall stand waived.

5. Within a week of the divorce being granted by the Family Court, the parties will approach this Supreme Court for quashing both the criminal complaints filed by Ms. Monica and all the consequential proceedings emanating therefrom, which are as under:

a. CC No. 8/3/15 (Old No. 30/1/06 & 477/3/12), U/s 406, 498A IPC titled &#39;Monica Vs. Vikas Sharma & Ors.&#39; pending in the court of Ms. Vandana Jain, MM, (Mahila Court), Saket Courts, New Delhi.

b. CC No. 9/3/15 (Old No. 674/1/06 & 11/2/12), U/s 415, 417 IPC titled &#39;Monica Vs. Vikas Sharma & Ors.&#39; pending in the court of Ms. Vandana Jain, MM, (Mahila Court), Saket Courts, New Delhi.

6. This Hon&#39;ble Court shall pass necessary orders quashing the aforesaid cases also pass the necessary directions for release of the amount deposited in favour of Ms. Monica.

7. At no time will Ms. Monica insist for the

4

physical presence of Mr. Vikas Sharma before any Court or Authority in India. Mr. Vikas Sharma shall be represented through his duly appointed Attorney.

8. It is stated on behalf of Mr. Vikas Sharma that he is not in a position to pay the settlement amount and the same is being paid by his maternal uncle Mr. Naresh Tolani part of whose property has been attached in the present litigation. In order to avoid any lengthy litigation for release of part of his property at Lajpat Nagar Mr. Naresh Tolani has agreed to pay this amount. It is made clear that in case the settlement fails for any reason attributable to Ms. Monica then the amount deposited by Mr. Naresh Tolani shall be refunded to him. In case the settlement fails for any reason attributed to Mr. Vikas Sharma then the amount deposited shall be forfeited.

3. At the hearing today, Shri Anand Grover, learned senior counsel for the review petitioner (husband) and the respondent (wife) appearing-in-person have categorically stated before the Court that both of them will give effect to the terms of the settlement, extracted above, and make the necessary deposit and file the required applications as agreed within the time frame fixed by the terms of settlement.

4. Having considered the matter, we are of the view that it would be inappropriate for this Court

5

to entertain these applications, particularly, as the proceedings have been finally terminated by



Mr. Anand Grover, Sr. Adv.

Mr. Saurabh Chauhan, Adv.

Mr. Varun Jain, Adv.

Mr. Rohit K. Singh, Adv.

For Respondent(s) Ms. Jyotika Kalra, Adv.

UPON hearing the counsel the Court made the following

O R D E R

The review petitions and the Criminal  
Miscellaneous Petition D.No.98925 of 2015 are disposed  
of in terms of the signed order.

(Neetu Khajuria)

Sr.P.A. (Asha Soni)

Court Master

(Signed order is placed on the file.)