

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.2420 OF 2025
(Arising out of S.L.P.(Criminal) No.3429 of 2024)

NAZISH PARVEEN ... APPELLANT(S)

VS.

STATE OF UTTAR PRADESH & ORS. ... RESPONDENT(S)

WITH

CRIMINAL APPEAL NO.2421 OF 2025
(Arising out of S.L.P.(Criminal) No.6965 of 2025)
@ Diary No.48675 of 2024)

MA 427/2025 in SLP(C) No. 28268/2024

O R D E R

SLP(Criminal)No.3429/2024 and Diary No.48675/2024

Delay condoned in Diary No.48675 of 2024.

2. Leave granted in the Special Leave Petitions.
3. We have perused the Settlement Agreement dated 30th January, 2025 signed by the appellant-wife and the second respondent-husband. The Settlement Agreement is signed by the learned counsel appearing for the parties and the learned Mediator appointed by the Supreme Court Mediation Centre. The father of the appellant has also signed the same.

4. In terms of the Settlement Agreement, payment of a sum of Rs.40,00,000/- has been made by the second respondent to the appellant and today Demand Draft No.700013 dated 5th May, 2025 drawn in favour of the appellant-wife for Rs.30,00,000/- (Rupees thirty lakhs) has been handed over by the learned counsel for the second respondent to the learned counsel for the appellant who in turn has handed over the same to the appellant who is present in the Court.

5. The marriage between the appellant-wife and the second respondent-husband was solemnized on 26th February, 2011 and since 15th December, 2018, the parties are residing separately. There are large number of litigations between the parties, as can be seen from paragraph 3 of the Settlement Agreement.

6. By filing IA No.104081 of 2025, the parties are invoking jurisdiction of this Court under Article 142 of the Constitution of India for dissolving the marriage between the parties. Considering the fact that the parties are residing separately from December, 2018 and considering the fact that all subsisting disputes have been brought to an end by the settlement, including the issue regarding custody of the child, this is a fit case to invoke jurisdiction of this Court under Article 142 of the Constitution of India. We may also note here that

the issue regarding custody of the child has been resolved by filing Settlement Agreement dated 2nd January, 2025 before the Court of the learned District Judge, Bulandshahar in a pending case. A copy of the said Settlement Agreement is annexed at Annexure A-3 to the application.

7. Hence, we pass the following order.

a) The marriage solemnized between the appellant-Nazish Parveen and the second respondent-Ezaz Ahmed on 26th February, 2011 is hereby dissolved by consent of the parties;

b) (i) FIR No.341/2019, Case No.32/2022 titled "*State v. Ezaz Ahmed*" before the Additional Chief Judicial Magistrate III, Bulandshahar, (ii) Complaint No.1281/2023 titled "*Nazish Parveen v. Ezaz Ahmed*" and (iii) Complaint No.1190/2019 titled "*Nazish Parveen v. Ezaz Ahmed & Ors.*" pending before the Additional Civil Judge (JD) Room No.6, Bulandshahar are hereby quashed.

c) (i) Maintenance Case No.215/2019 titled "*Nazish Parveen v. Ezaz Ahmed*", New Case No.197/2024 pending before the Chief Family Judge, Hathras, District Hathras, (ii) Revision No.5058/2024 pending before the High Court of Allahabad, (iii) Case No.668/2019 titled "*Nazish Parveen v. Ezaz Ahmed*" pending before

the High Court of Allahabad and (iv) Case No.1300/2024 titled "*Ezaz Ahmed v. Nazish Parveen*" pending before the Principal Family Court, Bulandshahar are disposed of in view the settlement.

d) FIR No.1150/2024 dated 24th December, 2024 registered with Kotwali City Police Station, Bulandshahar, Uttar Pradesh is hereby quashed.

e) (i) Criminal Revision No.3797/2024 in Case No.197/2024 pending before the High Court of Allahabad, (ii) Case No.132/2024 titled "*Ezaz Ahmed v. Nazish Parveen*" pending before the Additional Principal Family Judge (First) Bulandshahar and (iii) A complaint filed in the Bar Council of Uttar Pradesh, Allahabad against the conduct of Nazish Parveen's father are disposed of.

f) The parties shall produce copies of this order before the concerned authorities before whom the cases/complaints are pending.

g) Paragraph 1 to 9 of the Settlement Agreement read thus:

1. Whereas the marriage between the petitioner and respondent No. 2 Husband was solemnized as per Muslim rites and ceremonies on 26.02.2011 at Bulandshahar, Uttar Pradesh. After marriage parties resided together at Ghaziabad, Uttar

Pradesh and there is One child Namely Master Izyaan Ahmed born out of this wedlock.

2. Both the parties resided together as husband and wife till 15.12.2018, and thereafter disputes and differences arose between the parties and since then she is staying with her parents at Bulandshahar, U.P

3. . Whereas the Parties have filed following cases against each other:-

I. FIR No. 341/2019, Case No.-32/2022, State vs. Ezaz Ahmed etc., under Section 498A, 323, 506 IPC and 3/4 DP Act, before the Hon'ble Court A.C.J.M. III, Bulandshahar, Next Date 07.01.2025.

II. Complaint No.-1281/2023 Nazish Parveen vs. Ezaz Ahmed, Under Section-307, 323, 506 IPC and 3/4 Muslim Act, Police Station Kotwali Nagar, Bulandshahar, Before Hon'ble A.C.J. (J.D.) Room No.-6, Bulandshahar Next Date 11.01.2025.

III. Complaint No.-1190/2019, Nazish Parveen vs. Ezaz Ahmed & Ors., Under Section-406 IPC, Police Station Kotwali Nagar, District Bulandshahar, Before Hon'ble A.C.J. (J.D.) Room No.-6, Bulandshahar, Next Date 13.01.2025.

IV. Maintenance case number-215/2019 Nazish Parveen vs Ezaz Ahmed, new case number-197 of 2024, Under section-128 CrPC, case number-550/2024. Nazish Parveen vs Ezaz Ahmed, Before the Hon'ble Chief Family

Judge, Hathras, District Hathras, Next date 08.01.2025.

V. Revision No. 5058/2024 under Section 125 CrPC, Before Hon'ble High Court of Allahabad.

VI. Case No.-668/2019 Nazish Parveen Vs. Ezaz Ahmed, Habeas Corpus Writ Petition Hon'ble High Court of Allahabad.

VII. Section 12 Domestic Violence Act, 2005, Nazish Parveen vs. Ezaz Ahmed etc, SLP No. 003429/2024, Hon'ble Supreme Court.

VIII. Case No.-1300/2024 Ezaz Ahmed vs Nazish Parveen Section-379 B.N.S.S. Before Hon'ble Principal Family Court Bulandshahr Next Date-05.02.2025.

XI. FIR No. 1150 dated 24.12.2024, U/S-191(2), 115(2), 351(2) BNS Bulandshahr v. Md. Islam & ors.

X. Criminal Revision No.-03797/2024 in Case No.-197/2024, Before Hon'ble High Court of Allahabad.

XI. Case number 132 of 2024, Ezaz Ahmed vs Nazish Parveen, under section-7C of the Family Court Act, which is pending in the court of Additional Principal Family Judge (First), Bulandshahr. Next date 21.01.2025.

XII. A complaint has been filed in the Bar Council of U.P., Allahabad against the conduct of Nazish Parveen's father.

4. Whereas Hon'ble Supreme Court vide Order dated 28.11.2024 in Special Leave Petition (Crl) No. 3429 of 2024 has referred the matter to Supreme Court Mediation Centre.

Comprehensive mediation sessions were held between the parties and their respective advocates on 18.12.2024, 10.01.2025 and 23.01.2025 (Virtually/ Physically) and today i.e. 30.01.2025 physically for signing of the present Settlement Agreement.

5. That both the parties have settled their disputes amicably before the Ld. Court of District Judge, Bulandshahar (Uttar Pradesh) on 02.01.2025. Copy of the Settlement Dated 02.01.2025 is integral part of this Settlement Agreement and the same is annexed herewith for the kind perusal of this Hon'ble Court as ANNEXURE 1.

6. Both the parties hereto have arrived at an amicable settlement on the following terms and conditions for dissolution of marriage by mutual consent:-

A. That the parties have agreed that the Respondent-husband will pay to the Petitioner-wife a total sum of Rs. 70,00,000/- (Seventy Lakhs Only) towards full and final settlement of all her claims towards her permanent alimony, Stridhan, maintenance (past, present and future).

B. It is agreed between the parties that they will move an application jointly before the Hon'ble Supreme Court under Article 142 of Constitution of India for invoking inherent powers of the Hon'ble Supreme Court praying for divorce by mutual consent as parties are staying separately

since 15.12.2018 i.e. for the last more than six years and there is irretrievable break down of the marriage.

C. That it was also settled between the parties that both the parties shall withdraw their all the cases which have been filed by them against each other within 3 months of Execution of the Present Settlement.

D. That it was also settled between the parties that after execution of the Settlement no any party will file any other litigation against each other in future before any Court of law.

MODE OF PAYMENT

I. The Respondent -husband shall pay the first installment for a sum of Rs. 20,00,000/- (Rupees Twenty Lakhs only) in favour of the Petitioner wife by way of demand draft at the time of Execution/ Signing of the Joint Affidavit before Notary Public in Supreme Court of India on 17.02.2025.

II. The Respondent -husband shall pay the Second installment for a sum of Rs. 20,00,000/- (Rupees Twenty Lakhs only) in favour of the Petitioner wife by way of demand draft at the time of filing of the Joint Affidavit/Application before Hon'ble Supreme Court of India on or before 17.03.2025.

III. The Respondent -husband shall pay the balance amount for a sum of Rs. 30,00,000/- (Rupees Thirty Lakhs only) in favour of the Petitioner wife by way of demand draft at the time of final hearing of Joint Application accompanied with the Joint Affidavit before the Hon'ble Supreme Court of India.

IV. CHILD CUSTODY :- That the Custody of the child shall be governed as per settlement dated 02.01.2025 before the Ld. Court of District Judge, Bulandshahar U.P (ANNEXURE 1).

7. That by signing this Agreement the parties hereto solemnly state and affirm that they have no further claims or demands against each other including maintenance, or any movable or immovable property and all the disputes and differences have been amicably settled by the parties hereto through the process of mediation and they will bound by the Settlement.

8. The parties undertake to abide by the terms and conditions set out in the above mentioned Settlement Agreement, which have been arrived with free will of the parties without any coercion, duress or collusion and parties undertake not to raise any dispute whatsoever henceforth.

9. The contents of this settlement - agreement have been explained to all the parties through their respective counsels and they have understood the same."

h) A decree shall be drawn in terms of this order by incorporating the aforesaid terms of the Settlement Agreement dated 30th January, 2025.

8. We compliment the parties and their respective advocates for taking a reasonable stand. We also appreciate the role played by the learned Mediator.

9. The appeals are accordingly disposed of.

MA 427/2025 in SLP(C) No. 28268/2024

10. In view of disposal of the appeals in terms of the Settlement Agreement dated 30th January, 2025, no order is required to be passed. It is ordered accordingly.

11. Miscellaneous Application stands disposed of.

.....J.
(ABHAY S.OKA)

.....J.
(UJJAL BHUYAN)

NEW DELHI;
May 05, 2025

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

Petition(s) for Special Leave to Appeal (Crl.) No(s). 3429/2024

[Arising out of impugned final judgment and order dated 14-12-2023 in CRR No. 1842/2022 passed by the High Court of Judicature at Allahabad]

NAZISH PARVEEN

Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH & ORS.

Respondent(s)

([MEDIATION REPORT RECEIVED])

IA No. 60272/2024 - EXEMPTION FROM FILING O.T.

IA 104081/2025 - JOINT APPLICATION UNDER ARTICLE 142 OF THE CONSTITUTION OF INDIA SEEKING DISSOLUTION OF MARRIAGE BY MUTUAL CONSENT AND DIRECTIONS)

WITH Diary No(s). 48675/2024

(IA No. 29854/2025 - CONDONATION OF DELAY IN REFILEING / CURING THE DEFECTS

IA No. 29855/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 29856/2025 - EXEMPTION FROM FILING O.T.)

MA 427/2025 in SLP(C) No. 28268/2024 (FOR ADMISSION)

Date : 05-05-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA

HON'BLE MR. JUSTICE UJJAL BHUYAN

By Courts Motion

For Petitioner(s) :

Mr. Ritesh Agrawal, AOR

Mr. Sunder Khatri, Adv.

Ms. Priyanshi Sharma, Adv.

Ms. Rukhsar Ansari, Adv.

Mr. Rajesh Kumar Chaurasia, AOR

Mr. L. Passi, Adv.

Mr. Sujeet Kumar, Adv.

Mr. Shailendra Kumar Nirmal, Adv.

Mr. Devender Singh, Adv.

Mr. Anurag Jain, Adv.

Mr. Gautam Kumar, Adv.

Mr. Kundan Kumar Mishra, AOR
Mr. Ratnesh Kumar, Adv.

For Respondent(s) :

Dr. Vijendra Singh, AOR
Ms. Preeti Goel, Adv.
Mr. Krishna Pandey, Adv.
Ms. Kumar Abhinandan, Adv.
Mr. Kumar Abhinandan, Adv.
Ms. Apurva Singh, Adv.

Mr. Kundan Kumar Mishra, AOR
Mr. Ratnesh Kumar, Adv.

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

Leave granted in Special Leave Petitions.

The appeals and the Miscellaneous Application are
disposed of in terms of the signed order.

Pending applications also stand disposed of.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER

(Signed order is placed on the file.)