

# Gurmeet Kaur vs Gurmeet Singh on 22 January, 2020

**Bench: A.M. Khanwilkar, Hemant Gupta, Dinesh Maheshwari**

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IN THE SUPREME COURT OF INDIA  
CIVIL/CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION(CIVIL) NO.907/2019

GURMEET KAUR

PETIT

VERSUS

GURMEET SINGH

RESPO

WITH

SPECIAL LEAVE PETITION (CrI) No. 6805/2019

GURMEET SINGH

PETIT

VERSUS

GURMEET KAUR

RESPO

O R D E R

1. This Court by its order dated 21.10.2019 directed the parties to appear before the Supreme Court Mediation Centre for resolution of their matrimonial disputes through the process of mediation.

2. Both parties are present in Court today. We are informed by the parties that they have amicably settled all the disputes and have reduced the settlement terms into writing in the form of Settlement Agreement, which reads thus:

SETTLEMENT AGREEMENT "This Settlement Agreement is being executed between Petitioner Ms. Gurmeet Kaur W/o Mr. Gurmeet Singh D/o Mr. Amarjit Singh R/o 749, Gali Door Wali, Pahar Ganj, New Delhi-

110055 (hereinreferred to the Petitioner-wife) and Respondent Mr. Gurmeet Singh, S/o Mr. Joginder Singh R/o Sanghvi Colony, Joraphatak Road, P.S. Bank More, District Dhanbad, Jharkhand (hereinreferred as Respondent-husband).

This Hon'ble Court vide its order dated 21.10.2019 was pleased to refer the matter for settlement between the parties to the Mediation Centre, Supreme Court of India, New Delhi.

1. That the marriage between the Petitioner and Respondent was solemnized on 14.04.2013 at Delhi. Both parties resided together as husband and wife till 26.06.2013. A female child Manreet Kaur was born on 15.02.2014 at Delhi. That thereafter, disputes and differences arose between the parties, they started living separately with their respective parents since June, 2013.

2. That Comprehensive mediation sessions were held with the parties separately and jointly on 16.11.2019, 22.11.2019 and today the 10.12.2019 and the parties have arrived at an amicable peaceful settlement on the following terms and conditions:

3. That the Petitioner and Respondent hereto confirm and declare that they have, voluntarily and out of their own free-will and accord, decided to live separately as husband and wife and have mutually agreed to live apart in the presence of the mediator, our respective counsels and family members.

4. That the following cases filed by the Petitioner and the Respondent against each other have been agreed to withdraw unconditionally on the next date of hearing as follows:-

(i) Original Suit No. 617 of 2018 under Section 13 (1) titled Gurmeet Singh Vs. Gurmeet Kaur pending before Additional Principal Judge, Family Court, Dhanbad likely to be listed on or after 14th January, 2020.

(ii) Criminal Case No. 533249 of 2016 titled Gurmeet Kaur Vs. Gurmeet Singh, pending before M.M. Mahila Court, Tis Hazari Court, New Delhi stayed at the moment by the Hon'ble Supreme Court.

(iii) Execution Criminal No. 53 of 2019 titled Gurmeet Kaur Vs. Gurmeet Singh pending before M.M. Mahila Court, Tis Hazari Court, New Delhi stayed at the moment by the Hon'ble Supreme Court .

(iv)CA/102/2019 titled Gurmeet Singh Vs. Gurmeet Kaur Pending before Session Judge, Tis Hazari Court, New Delhi stayed at the moment by the Hon'ble Supreme Court.

(v) Criminal Misc. Complaint No. 3261 of 2018 titled Gurmeet Singh Vs. Gurmeet Kaur pending before Delhi High Court stayed at the moment by the Hon'ble Supreme Court.

5. That both the Petitioner and Respondent have entered into this Settlement in full and final settlement of their claims and demands past and present in respect of their disputes. (I) That the Petitioner and Respondent have agreed that they shall jointly file an application before the Hon'ble Supreme Court with the prayer to exercise its jurisdiction under Article 142 of the Constitution of India and to grant Decree of Divorce by mutual consent. The Respondent / husband has agreed to

pay to the Petitioner-wife an amount of Rs. 25,00,000/- (Rupees Twenty Five Lakh Only) as one time full settlement as follows:

(ii) That out of Rs. 25,00,000/- (Rupees Twenty Five Lakh Only) the Respondent-husband has handed over the demand draft No. 001935 of HDFC Bank, dated 05.12.2019 of Rs. 12,50,000/-

(Rupees Twelve Lakh Fifty Thousand Only) and a Gold Ring in the name of Petitioner Gurmeet Kaur on 10.12.2019 in the Supreme Court Mediation Centre and she has received the same vide the demand draft. It is also agreed between the Petitioner and Respondent that the Respondent-husband will hand over the remaining balance of Rs. 12,50,000/- (Rupees Twelve Lakh Fifty Thousand Only) on the next date of hearing before this Hon'ble Court.

6. That it is also further agreed between the Petitioner and Respondent that the custody of the girl Manreet Kaur aged about 6 years shall remain in the custody of the Petitioner-mother (Gurmeet Kaur). The Respondent-husband shall be allowed to meet the child Manreet Kaur once in a month for three to four hours in Delhi with prior notice to the Petitioner-wife and the Petitioner has agreed to the same. The amount settled includes all the expenditure required for education, maintenance and marriage and Petitioner will not make any future claim/demand in this regard. The Petitioner nor the child shall not claim/demand any right in moveable and immovable property of the Respondent.

7. That the Petitioner by signing this agreement, solemnly states that the daughter after turning major will have no further rights, title or interest in the Respondent's father's ancestral or self acquired property hereinafter.

8. That both the parties shall file joint petition before the Hon'ble Supreme Court for disposal of the cases mentioned in para -4 above or as directed by this Hon'ble Court.

9. The parties and / or their family members, relatives or representatives undertake not to initiate any other litigation against each other in future regarding the subject matter of the present proceedings.

10. By signing this Agreement, the parties hereto solemnly state and affirm that they have no other further claim or demand against each other and all the disputes and differences have been amicably mutually settled by the parties hereto, through the process of Mediation.

11. That the parties are accordingly signing this settlement agreement in the presence of all named below persons to authenticate their will on this 11th day of December, 2019 to comply the same as agreed to above. Any violation of the terms and conditions will amount to Contempt of Court.

(Gurmeet Singh)  
Respondent-in-person

(Gurmeet Kaur)  
Petitioner-in-person

(Abhijeet Pandove)  
Advocate for the Respondent

(Gurjeet Singh)  
Advocate/Brother of the Petitioner

[N.K. Aggarwal]  
Mediator  
Supreme Court of India

Dated: 11th December, 2019"

3. A formal joint application (I.A.

No.6183/2020) has been moved by the counsel for the parties for disposing of all proceedings pending between them on terms and conditions specified hereinabove, as recorded in the Settlement Agreement.

4. As per settlement arrived at between the parties, a demand draft amounting to Rs.12,50,000/- (Rupees Twelve Lakhs Fifty Thousand Only) has been handed over by the counsel for the husband-Gurmeet Singh to the counsel for the wife-Gurmeet Kaur today in the Court.

5. Having regard to above, we are satisfied that the settlement entered into between the parties on 11.12.2019 deserves to be accepted and so also the prayer made for a decree of divorce by mutual consent in exercise of our powers under Article 142 of the Constitution of India.

6. We, accordingly, grant the decree of divorce by mutual consent to the petitioner-wife (Gurmeet Kaur) and respondent-husband (Gurmeet Singh) in Transfer Petition (C) No.907/2019. The undertakings given by the respective parties as noted in the settlement dated 11.12.2019 are accepted. Accordingly, the marriage between Gurmeet Kaur and Gurmeet Singh solemnized on 14.04.2013 stands dissolved in terms of the aforesaid Settlement Agreement.

7. In view of above, (i) Original Suit No.617 of 2018 titled Gurmeet Singh Vs. Gurmeet Kaur pending before Additional Principal Judge, Family Court, Dhanbad; (ii) Criminal Case No. 533249 of 2016 titled Gurmeet Kaur Vs. Gurmeet Singh, pending before M.M. Mahila Court, Tis Hazari Court, New Delhi; (iii) Execution Criminal Case No. 53 of 2019 titled Gurmeet Kaur Vs. Gurmeet Singh pending before M.M. Mahila Court, Tis Hazari Court, New Delhi; (iv) CA/102/2019 titled Gurmeet Singh Vs. Gurmeet Kaur pending before Session Judge, Tis Hazari Court, New Delhi and (v) Criminal Misc. Complaint No. 3261 of 2018 titled Gurmeet Singh Vs. Gurmeet Kaur pending before Delhi High Court shall stand withdrawn to this Court and are quashed/disposed of.

8. We record and accept the undertaking given by the parties that the parties shall abide by the terms and conditions incorporated in the aforesaid Settlement Agreement and shall not initiate any further civil or criminal case against each other and/or their family members with regard to the

matrimonial alliance.

9. Resultantly, I.A. No.6183/2020 is allowed, Transfer Petition (Civil) No.907/2019 and Special Leave Petition (Crl.) No.6805/2019 are disposed of in the aforementioned terms.

10. We express a word of appreciation for the sincere efforts put in by Mr. N.K. Aggarwal, learned Mediator, who facilitated the parties to settle the matters in the above terms.

.....,J.

(A.M. KHANWILKAR) .....J.

(HEMANT GUPTA) .....J.

(DINESH MAHESHWARI)

NEW DELHI  
JANUARY 22, 2020

ITEM NO.21

COURT NO.7

SECTION XVI-A

S U P R E M E C O U R T O F  
RECORD OF PROCEEDINGS

I N D I A

Transfer Petition(s)(Civil)

No(s). 907/2019

GURMEET KAUR

Petitioner(s)

VERSUS

GURMEET SINGH

Respondent(s)

(FOR ADMISSION and I.R. and IA No. 71290/2019 - EX-PARTE STAY) WITH SLP(Crl) No. 6805/2019 (II-C) (IA No. 114341/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT) Date : 22-01-2020 These matters were called on for hearing today. CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR HON'BLE MR. JUSTICE HEMANT GUPTA HON'BLE MR. JUSTICE DINESH MAHESHWARI For Parties Mr. Amit Pawan, AOR Mr. Abhinav Agrawal, AOR Mr. Rajesh Kumar, Adv.

Mr. Aditya Kumar Sinha, Adv.

Mr. Narendra Prasad Yadav, Adv.

Mr. Gurjeet Singh, Adv.

Mr. Siddhant Sahay, Adv.

UPON hearing the counsel the Court made the following O R D E R I.A.  
No.6183/2020 is allowed.

Transfer Petition (Civil) No.907/2019 and Special Leave Petition (Crl.)  
No.6805/2019 are disposed of in terms of the signed order.

In view of the above, pending application(s) shall stand disposed of.

(NEETU KHAJURIA)  
COURT MASTER

(VIDYA NEGI)  
COURT MASTER

(Signed order is placed on the file.)