

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****FAM No. 126 of 2017**

- Smt. Pragyarani Gupta W/o Amit Kumar Gupta, Aged About 32 Years R/o Street No.7, Near S.B.T. College, Kududand, Bilaspur, Police Station Civil Line, Bilaspur, District Bilaspur, Chhattisgarh
----- Appellant

Versus

- Amit Kumar S/o Shri Pradeep Kumar Gupta, Aged About 35 Years R/o Ward No.5, Gandhi Nagar, Bilaspur, Police Station Civil Line, Bilaspur, District Bilaspur, Chhattisgarh

----- Respondent

For Appellant	:-	Mr. Dharendra Prasad Mishra, Adv
For Respondent	:-	Mr. Ravindra Agrawal, Adv

Hon'ble Shri Justice Prashant Kumar Mishra
Hon'ble Smt Justice Rajani Dubey
Order On Board

By

Prashant Kumar Mishra, J.

09/02/2021

1. Heard.
2. During pendency of this appeal, the parties were referred for mediation. The Mediator has filed settlement agreement arrived between the parties.
3. The parties have settled their dispute in the following

manner :

“6) The following settlement has been arrived at between the parties hereto:

A) Party No.2 has agreed to pay one time permanent alimony/maintenance of Rs. 8,00,000.00 (Rs. Eight Lakhs Only) in two installments to Party No.1 to which Party No.1 has agreed and consented. Party No.2 has given a cheque of Rs. 4,00,000.00 (Rs. Four Lakhs Only) vide cheque no.202017 dated 29/01/2021 and another cheque of Rs.4,00,000.00 (Rs. Four Lakhs Only) vide cheque no.202018 dated 10/03/2021 in presence of parties, their respective Advocates and the Mediator. Both the cheques are handed over to Party No.1 Smt. Pragyarani Gupta today i.e., on 29/01/2021. The matter be placed before this Hon'ble Court for further directions.

B) In view of above terms of settlement, during mediation proceeding Party No.1 has withdrawn-

a) MJC No.45/16 on 17/12/2020.

b) Cr.R. No.21/2020 on 15/01/2021.

With regard to Criminal Case No.5555/2016, application for compromise was filed before trial Court on 12/01/2021 and the same was dismissed on the same day. Against that Party No.1 shall file application under Section 482 of the Code of Criminal Procedure for quashing of FIR under Section 498-A of IPC before Hon'ble High Court of Chhattisgarh on the basis of this Settlement Agreement.

Further in view of settlement arrived between the parties, Party No.1 will not further pursue and initiate any civil and criminal proceedings against Party No.2 and any of his family members for any dispute and grievances. Similarly Party No.2 shall not pursue and initiate any civil and criminal proceedings against Party No.1 or any of her family members for any dispute and grievances.

C) As a result of this settlement agreement, the decree of divorce granted by the Trial Court on 19/05/2017 in Civil Suit No.67-A/2016 shall prevail and binding upon the parties to the agreement.

7) By signing this agreement the parties hereto state that they have no further claim or demands against each other with respect to FA(M) No.126/2017 and other cases mentioned above and the parties hereto through the process of Mediation in this regard have amicably settled all disputes and differences.”

4. In view of the settlement, the decree of divorce passed by the trial Court is affirmed. The material part of the agreement contains in paragraphs 6 and 7, as reproduced above, shall form part of decree.

5. Accordingly, the appeal stands disposed of in terms of the settlement agreement. Decree be drawn accordingly.

SD/-
(Prashant Kumar Mishra)
Judge

SD/-
(Rajani Dubey)
Judge

