



\$~46

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.REV.P. 340/2019**

POOJA SHARMA

.....Petitioner

Through: **Ms. Ojasvi Sharma, Advocate**

versus

DEEPAK KUMAR SHARMA

.....Respondent

Through: **Mr. Yoginder Singh Rohilla,
Advocate**

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

%

16.05.2025

CRL.M.A. No. 15167/2025

1. The instant application filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023¹ (erstwhile Section 482 of Criminal Procedure Code, 1973²), seeks disposal of the revision petition, in view of the divorce settlement arrived on 28th March, 2025 and to vacate the interim order dated 4th April, 2019. It further seeks a stay on the execution proceedings and order dated 10th November, 2022, in EX. CRL. NO.764/2018, passed by Principal Judge, North East, Family Court, Karkardooma Courts, Delhi on the basis of the interim order dated 4th April, 2019.
2. In view of the above, the main revision petition is taken up on the Board today itself.
3. Disposed of.

¹ "BNSS"

² "CrPC"



CRL.REV.P. 340/2019

4. The criminal revision petition filed under Section 397 read with 401 of Criminal Procedure Code, 1973³, is directed against the order dated 09th January, 2019, whereby on an application filed by the Petitioner under Section 125 of CrPC seeking maintenance for herself and her minor son was adjudicated by the impugned order.

5. As per the impugned order, the interim maintenance awarded to the Petitioner was recalled and only maintenance of INR 5,000/- per month was awarded for the minor son of the parties.

6. Be that as it may, during the pendency of the proceedings, there has been a settlement between the Petitioner and Respondent and they have executed a Settlement Agreement dated 28th March, 2025. As per said settlement, the Respondent has already paid INR 10,00,000/- to the Petitioner, duly noted by the Allahabad High Court in order dated 5th May, 2025. Subsequently, he deposited an amount of INR 20,00,000/- with the Registry of the Allahabad High Court, as also recorded in order dated 13th May, 2025, in First Appeal Number 68/2024 titled as **Deepak Kumar Sharma vs. Smt. Pooja Sharma**, which reads as follows:

“Mr. Rohit Nandan Pandey, learned advocate appears on behalf of appellant and hands up demand draft no.186317 dated 9th May, 2025 issued by State Bank of India in favour of respondent for Rs. 20 lacs. Photocopy of the draft has been given to Mr. Santosh Kumar Srivastava, learned advocate appearing for respondent. Observation made in respect of appellant in our order dated 5th May, 2025 stands complied with by appellant on his part. Mr. Srivastava submits, his client is taking steps to have the criminal and maintenance cases withdrawn/ dropped. Submission at the Bar is parties will forthwith join to petition the Family Court for divorce by mutual consent.

³ “CrPC”

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 19/05/2025 at 12:22:47



On presentation of the petition, we request the Family Court Judge to expedite the proceeding. Duty of said Court to make effort for settlement stands dispensed with since parties have already agreed. Parties may also make second motion for waiver of the statutory period in terms of judgment of the Supreme Court in Amardeep Singh Vs. Harveen Kaur reported in 2017 (8) SCC 746.

Parties are directed to enclose our orders dated 5th May, 2025 and this date in their joint petition.

We will hold the instrument having validity of three months. It be kept with Registrar General in safe custody. On production of judgment and decree of the Family Court, we will hand over the instrument to respondent and dispose of the appeal.”

7. The aforementioned facts are also not controverted by the Counsel for Petitioner and she confirms the settlement.
8. The directions for the release of the balance amount, which is deposited with the Allahabad High Court, have to be issued in the pending appeal.
9. In light of the aforementioned settlement, no further directions are required to be passed. The parties shall remain bound by the terms of the Settlement Agreement.
10. With the above directions, the present petition is disposed of along with pending application(s), and consequently, the interim order of this Court *vide* order dated 4th April, 2019 stands vacated.
11. The date of 4th September, 2025, stands cancelled.

SANJEEV NARULA, J

MAY 16, 2025/ab