

IN THE SUPREME COURT OF INDIA
 CRIMINAL APPELLATE JURISDICTION
 CRIMINAL APPEAL NO. 714 OF 2005
 (Arising out of SLP(Crl.) No.2159/2004)

NADISHWAR BANAND & ANR.

APPELLANTS

VERSUS

STATE OF KARNATAKA & ANR.

.....

RESPONDENTS

O R D E R

Leave granted.

CrI.M.P No.5522/2005 (Application for impleadment) is allowed. The persons impleaded are arrayed as appellant Nos. 3 to 5.

CrI.M.P.No.5523/2005 (Application for bringing on record the compromise of the dispute between the parties) is also allowed.

We have heard counsel for the parties.

Respondent No.2, namely, Supriya Kadolkar, is also present. Her counsel files an affidavit affirmed by her in support of the terms of settlement filed by the appellants. The same is taken on record.

Having regard to the facts and circumstances of the case, in the interest of justice and in the interest of parties concerned, we take on record the

settlement/compromise terms of the parties, and dispose of this appeal in terms thereof.

ant No.3 It is agreed between the parties that the marriage of appell with

respondent No.2 stands dissolved by a decree of divorce dated 9.10.2001 passe d by the

Brentford Country Court, UK in case No.BF 01 DOO 997. The counsel for the appellants

2

undertakes to hand over to the counsel for the respondent No.2 a certified copy of the said decree within eight weeks from today. The parties have also agreed that the two suits filed before the Family Court, Bangalore in O.S.No.188/2001 and O.S.No.264/2001 shall be

withdrawn by respondent No.2. The appellant Nos.3-5 (impleadment parties) have agreed

to pay a sum of Rs.45 lacs in full and final settlement of all the claims and demands of

respondent No.2 including alimony or maintenance or by whatever name called, against all

or any of the appellants.

The counsel for the appellants has handed over to respondent No.2 in Court

today (who has been duly identified by her advocate) a Pay Order, dated 4.5.2005 for a

sum of Rs.45 lacs, issued by the State Bank of Mysore, Tata Silk Farm Branch, Bangalore

payable by the State Bank of Mysore at Belgaum. Respondent No.2 accepts the same in

full and final settlement of her claims and demands against the appellants.

In view of the settlement of all disputes between the parities, we quash criminal

proceedings in C.C.No.399/2001 pending before the Judicial Magistrate, First Class,

Belgaum. The learned Magistrate is directed to withdraw all directions issued and recall

the interim orders, if any, passed against all the accused persons.

The parties are also agreed that all the allegations made by them against each

other in the course of proceedings hereby stand withdrawn.

The appeal is disposed of in the aforesaid terms.

.....J.

(B.P. SINGH)

3

.....

...J.

(S.B. SINHA)

NEW DELHI;

MAY 10, 2005.

ITEM NO.301

COURT NO.10

SECTION

II

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 (Cr1) No(s).2159/2004

(From the judgement and order dated 13/02/2004 in CRLRP No. 24/2002 of The HIGH COURT OF KARNATAKA AT BANGALORE)

NADISHWAR BANAND & ANR.

Petitioner(s)

VERSUS

STATE OF KARNATKA & ANR.

Respondent(s)

(With appln.(s) for stay and impleadment and for bringing on record the compromise of the dispute between the parties)

Date: 10/05/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE S.B. SINHA

For Petitioner(s)

Mr.Ranjit Kumar, Sr.Adv.

Mr.G.L.Vishwanath, Adv.

Mr.Shashank Kumar, Adv.

Ms. Manjula Gupta,Adv.

For Respondent(s)

Mr. Sanjay R. Hegde, Adv.

Mr.Srinivas R.Khalap, Adv.

Mr. Anupam Lal Das, Adv.

UPON hearing counsel the Court made the following

O R D E R

4

Leave granted.

Cr1.M.P No.5522/2005 (Application for impleadment) is allowed. The persons impleaded are arrayed as appellant Nos. 3 to 5.

Crl.M.P.No.5523/2005 (Application for bringing on record the compromise of the dispute between the parties) is also allowed.

The appeal is disposed of in terms of the signed order.

(Satish K. Yadav)

(Vijay Dhawan)

Court Master

Court Master

(Signed order is placed on the file)