

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S). 1404 OF 2018
[@ SPECIAL LEAVE PETITION (CRL.) NO. 4190 OF 2018]

MD. AFSAR HUSSAIN PARVEZ & ORS. Appellant(s)

VERSUS

THE STATE OF BIHAR & ANR. Respondent(s)

J U D G M E N T

KURIAN, J.

1. Leave granted.
2. The appellants are before this Court, aggrieved by the order dated 18.10.2017 passed by the High Court of Judicature at Patna. The High Court declined to interfere with the process issued by the criminal court in a proceeding initiated under the provisions of the Protection of Women from Domestic Violence Act, 2005.
3. When the matter came up before this Court, finding that there is an element of settlement, with their consent, the parties were referred to Supreme Court Mediation Center.
4. Today, the first appellant and the second respondent are present before this Court. We are happy to note that the parties have settled their

disputes before the mediation center and they have also reduced the terms of agreement by way of a Settlement Agreement. The Settlement Agreement, duly signed by the parties and their respective counsel and the learned mediator, is taken on record. The same shall form part of the decree. This appeal is disposed of in terms of the Settlement Agreement dated 15.11.2018.

5. We make it clear that there shall be no coercive action against each other during the time the parties have sought for completion of their respective obligations under the Settlement Agreement.

6. Needless to say that the non-bailable warrants issued against the first appellant will be kept in abeyance. It is made clear that in case the respective obligations are discharged, the warrants will stand recalled on that date.

7. In terms of the settlement, today the first appellant has handed over a cheque for an amount of Rs. 5 Lakhs to the second respondent, which has been duly acknowledged by the second respondent.

8. We record our appreciation for the strenuous efforts taken by Ms. Nandini Gore, the learned

mediator, and the cooperation extended by the learned counsel on both sides and the parties themselves.

.....J.
[KURIAN JOSEPH]

.....J.
[HEMANT GUPTA]

New Delhi;
November 16, 2018.