

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. _____ OF 2024
(ARISING OUT OF SLP (CRL.) NO. _____ OF 2024
@ DIARY NO(S). 13776/2024

MINAKSHI NITIN PAGARE

APPELLANT(S)

VERSUS

NITIN MOGAL PAGARE & ORS.

RESPONDENT(S)

ORDER

Delay condoned.

2. Leave granted.

3. On request of Mr. Pravartak Suhas Pathak, learned counsel for the appellant, I.A. No. 171954 of 2024 is taken on board.

4. Perused the settlement agreement dated 12.07.2024 reached between the appellant and the respondent no.1 in their matrimonial dispute. Both the appellant and the respondent no.1 are physically present in the office of the Secretary, DLSA, Nashik and both have indicated that they have signed the settlement agreement dated 12.07.2024. They have been identified by Mr. Milind V. Burade, Secretary DLSA.

5. Under the said agreement, the respondent no.1 has agreed to pay permanent alimony of Rs.11,00,000/- to the appellant. Rs.1,00,000/- was earlier received by the appellant and the balance of Rs.10,00,000/- is to be paid through Demand Draft, on or before 30.09.2024.

6. The respondent no.1 will also transfer the residential house in favour of the appellant and the son i.e. respondent no.2

Prathamesh Nitin Pagare, within 45 days from 31.07.2024 through registered purchase deed.

7. The appellant and the respondent no.1 also pray for the closure of the pending cases against each other.

8. The relevant part of the settlement agreement dated 12.07.2024 are extracted below:-

- *“Respondent No.1 agreed to pay permanent alimony of Rs.11,00,000/- to the Petitioner against decree of divorce. Of this amount, Rs.1,00,000/- will be paid through Demand Draft on 31.07.2024. The remaining amount of Rs.10,00,000/- to be paid through demand draft within two months from 31.07.2024 i.e. 30.09.2024.*
- *The respondent no.1 will transfer the residential house situated at Survey No.40/13/1 Plot No.9,10,13 & 14 in the building known as Jaiganesh Park Row House No.5 Area 600 Sq Ft Residential House No.01 located at Mauje Panchak Shivara in Nashik Road Division, Nashik, in favour of petitioner Minakshi Nitin Pagare within 45 days from 31.07.2024 through registered purchase deed, half share will be given to Minakshi Nitin Pagare and remaining half share in the house to will be transferred in favour of Prathamesh Nitin Pagare. Respondent no.1-Nitin Mogul Pagare, will bear the expenses for the transfer.*
- *Since Nitin Moghal Pagare is giving the Permanent Divorce Alimony amount and residential house towards Food and Clothing of the petitioner Minakshi Nitin Pagare as mentioned above, the petitioner Minakshi Nitin Pagare will withdraw the pending case in Family Court at Nashik Cri. M.A:959/2013, Petition E: 15/2016 and for recovery Cr. M.A:265/2013.”*

9. Having regard to the aforesaid settlement by the parties who have virtually participated in the proceedings and have indicated their concurrence, we deem it appropriate to invoke our powers under Article 142 of the Constitution of India and order for the

dissolution of marriage between Mrs. Minakshi Nitin Pagare and Mr. Nitin Mogal Pagare. A decree of divorce be drawn up accordingly. The settlement agreement (dated 12.07.2024) is made part of this order.

10. The parties must scrupulously adhere to the terms of settlement reached amongst them.

11. I.A. No. 171954 of 2024 stands disposed of.

12. With the above order, the Criminal Appeal stands disposed of.

.....J.
(HRISHIKESH ROY)

.....J.
(PRASHANT KUMAR MISHRA)

NEW DELHI;
6th AUGUST, 2024

ITEM NO.50

COURT NO.5

SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 13776/2024

(Arising out of impugned judgment and order dated 13-07-2023 in WP No. 3737/2016 passed by the High Court of Judicature at Bombay)

MINAKSHI NITIN PAGARE

Appellant(s)

VERSUS

NITIN MOGAL PAGARE & ORS.

Respondent(s)

(I.A. No. 171954 of 2024-PASSING APPROPRIATE ORDER OR DECREE UNDER ARTICLE 142 OF THE CONSTITUTION)

Date : 06-08-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s) Mr. Pravartak Suhas Pathak, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

1. Delay condoned.
2. Leave granted.
3. The criminal appeal stands disposed of in terms of the signed order which is placed on the file.
4. Pending application(s), if any, shall stand disposed of.

(GEETA JOSHI)
SENIOR PERSONAL ASSISTANT

(KAMLESH RAWAT)
ASSISTANT REGISTRAR