

MHTH170007352017



S.C.C. No.497/2017
Sandeep Khemraj Todi Vs. Ajay Kedarnath Agarwal and Others.

ORDER BELOW EXH. 1

1. The case was pending. On 20.07.2026 the following orders were passed below Exh. 1:-

“Case is suo moto taken on board. It appears that case is stayed by the Hon’ble Supreme Court. On 08.06.2026, Advocate Shri.Ayush Gupta for Sujit Lahoti and Associates for Respondents has submitted (not certified copy) of order dated 07.04.2026 of the Hon’ble Supreme Court between XXX Vs. YYY (names not mentioned) and submitted that all the cases are closed by the Hon’ble Supreme Court. The said order submitted on record does not mention names of the parties. The present case is filed by one Sandeep Khemraj Todi against Ajay Kedarnath Agarwal and others. It appears that the Ld.Predecessor has issued process on 14.08.2023. The Complainant is absent since long. No writ is placed in the filed to confirm the submission made on behalf of Advocate Shri.Sujit Lahoti for Respondents. In these circumstances before disposing the case, issue notice to the Complainant to appear before the Court. In case of non appearance despite notice, necessary orders shall be passed based on documents submitted on behalf of Advocate Shri.Sujit Lahoti for Respondents. The C.C., the A.S. to comply and issue notice immediately. Notice R/o 01.08.2026.”

“Case was suo moto taken on board. Advocate Shri.Ayush Gupta for Sujit Lahoti and Associates for Respondents is present. Notice is directed to be issued to the Complainant in view of submissions on behalf of Advocate for Respondents. The copy submitted by the Advocate for Respondents is

not certified copy, it does not mention names of parties or case numbers to be closed as per directions of the Hon'ble Supreme Court. The said order submitted on record does not mention names of the parties. The present case is filed by one Sandeep Khemraj Todi against Ajay Kedarnath Agarwal and others. It is unclear if the present case is included in the order as copy of petition or Affidavit in support of submissions on behalf of Respondents is also not submitted on record. No writ is placed in the file to confirm the submissions made on behalf of Advocate Shri.Sujit Lahoti for Respondents. Complainant has also not confirmed the said submissions. In these peculiar circumstances, it is the responsibility of the parties to properly confirm the said submissions. In these circumstances, before disposing the case, on the next date, Respondents to submit appropriate documents in support of their application to close the proceeding. Case is kept for compliance. Ld. Advocate Shri.Gupta has submitted that he will take necessary instructions." (emphasis supplied)

2. In the above circumstances, notice was issued to the complainant Shri. Sandip Todi. As per police report submitted on 01.08.2026 (Exh. 46), Complainant had sought time to appear. Last chance was granted to appear on the next working date i.e. today. Complainant has appeared today on 03.08.2026. He has submitted that, he is an Advocate and is representing himself. Affidavit is submitted by accused No. 1 Ajay Kedarnath Agarwal (Exh. 45/1) where in he has stated that as per the judgment dated 07.04.2024 2026 in Civil Appeal arising out of SLP No. 28311 of 2024 XXX v. YYY the present case are liable to be quashed and set aside. Advocate Shri. Kedar Nayak i/b Advocate Sujit Lahoti and Associates, Advocates for the accused has pointed out para Nos. 62(ii) and 65 of the judgment submitted on his behalf (Exh. 45/2) regarding closing the present proceeding. He has submitted that, as per request of the party, the names were redacted in the judgment dated 07.04.2026. He has also filed an application at Exh. 26 today praying that, no

application be entertained by the complainant, and present complaint be disposed in view of judgment dated 07.04.2026 of the Hon'ble Supreme Court. Complainant Shri. Sandip Todi has submitted say on Exh. 26 and stated that, the provision for disposal is mentioned in the said judgment and that he has preferred an application to set aside the said order. When asked, he has stated that there is no stay to the said judgment dated 07.04.2026. As such, it appears that both sides have confirmed today that the copy of judgment submitted at Exh. 45/2 dated 07.04.2026 does not mention the number of the present case but refers to the present case in para Nos. 62(ii) and 65.

3. In the said judgment dated 07.04.2026 while deciding the dispute between the husband (complainant herein) and his wife, the Hon'ble Supreme Court was pleased to *inter alia* direct as follows:-

“62. Accordingly, in exercise of our jurisdiction under Article 142 of the Constitution of India, in order to do complete justice, we hereby pass the following directions: -

i. The marriage between the parties, i.e., the appellant-wife and the respondent-husband shall stand dissolved.

ii. All pending civil, criminal, and miscellaneous proceedings filed by either party against each other, and/or relatives including all FIRs, complaints, and other applications pending before any Court or forum, shall stand quashed/closed. Furthermore, all complaints filed by the respondent-husband before the Bar Council of Maharashtra and Goa, the Bar Council of India, or any criminal Court against any of the advocates representing the appellant-wife, as well as any proceedings against the relatives of the appellant-wife, before all forums and Courts (civil as well as criminal) shall also stand closed.

...

65. Copy of this judgment shall be forwarded by the Registry of this Court to the Courts/Forums referred to in Para No. 31 of this judgment. Furthermore, in case any of the cases inter se between the parties are not

mentioned in the said paragraph, in such situation, the parties shall be at liberty to present this judgment in the Court/Forum concerned which shall thereupon close the proceedings forthwith.” (emphasis supplied)

In these circumstances,

ORDER

The present proceeding stands closed in view of para No. 65 of the judgment dated 07.04.2024 2026 of the Hon'ble Supreme Court in Civil Appeal arising out of SLP No. 28311 of 2024 XXX v. YYY and Affidavit of accused No. 1 (Exh. 45/1 and 45/2) and application of accused (Exh. 48) and say of complainant (overleaf page No. 1 of Exh. 48). Exhibits 45, 45/1, 45/2, 48 be retained with the present order.

Place: Palghar
Date: 03/08/2026

(**Smt.PS.G. Chalkar**)
Judicial Magistrate First Class,
Palghar (Court No. 2)

Typed from hand written order.

ORDER BELOW EXH. 1

Heard Adv. Gupta. Para 2 and Order is mentioned where 07/04/2024 is mentioned instead of 07/04/2026. *Vide* S. 362 CrPC, para 2 and order date being typographical/clerical error be corrected as 07/04/2026 instead of 07/04/2024.

Place: Palghar
Date: 04/08/2026

(**Smt.PS.G. Chalkar**)
Judicial Magistrate First Class,
Palghar (Court No. 2)

CERTIFICATE

I affirm that, the contents of this P.D.F. file Judgment/order are same, word to word, as per the original Judgment/order.

Name of Stenographer	---	Prathamesh D. Patane
Court	---	2 nd Jt.CJJD & JMFC, Palghar.
Date	---	03.08.2026
Order signed by the Presiding Officer on	---	03.08.2026
Order uploaded on	---	03.08.2026
Corrected <i>vide</i> Section 362 Cr.PC.	---	04.08.2026
Order re-uploaded on	---	04.08.2026