



Sr.No.150

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

CRMC No.811/2018

Deepika Gambhir, Age 32 years
W/O Sh.Pawan Ghambir,
R/O A/P 258, Partap Garh Mohalla,
Jammu.

.... Petitioner(s)

Through:- Mr. Anil Gupta, Advocate.
Petitioner-in-person.

V/s

Pawan Ghambir
S/O Anil Kumar
R/O Opposite Centre Basic School,
Purani Mandhi, Mohalla Katyala,
Jammu.

....Respondent(s)

Through:- Mr. Rahul Pant, Sr. Advocate with
Mr. Anirudh Sharma, Advocate.
Mr. Aseem Sawhney, Sr. Adv., with
Mr. Shabab Malik, Advocate.
Respondent-in-person.

CORAM: HON'BLE MR. JUSTICE M A CHOWDHARY, JUDGE

ORDER
22.09.2025

1. Petitioner, through the medium of this petition under Section 561-A of the CrPC seeks to quash impugned order dated 02.11.2017 passed by the court of learned Sub Judge (13th Finance), Jammu in a complaint filed by the respondent titled “***Pawan Gambhir Vs Deepika Gambhir.***”, and also seeks to quash complaint dated 10.10.2017 pending adjudication in the court of learned Sub Judge (13th Finance), Jammu titled “***Pawan Gambhir vs. Deepika Gambhir.***”



2. The respondent despite several opportunities, has chosen not to file objections, both the parties appeared in person before this Court, to make statements.

3. During the pendency of the petition on hand, the parties have now reconciled, resolved their differences amicably, filed a joint petition in the Family Court, Jammu, which petition has been disposed of in terms of the judgment/decree dated 23.08.2025, whereby, the marriage between the parties has been dissolved with their mutual consent in terms of Section 13-B of the Hindu Marriage Act, as well as, on the terms and conditions mentioned in the joint petition.

4. Learned counsel for the parties submit that the parties have settled their differences and have willingly and mutually agreed upon that the proceedings pending before the court below be brought to an end. They further submit that the complaint dated 10.10.2017 has already been disposed of by the Trial Court. On that count, the parties have also made statements before the learned Registrar Judicial of this Court on 15.09.2025 and on 11.09.2025.

5. It would be appropriate to reproduce the operative part of the judgment dated 23.08.2025 passed by the Court of learned Principal Judge, Family Court, Jammu hereunder:-

“9. Hence, the prayer as made by the petitioners, is hereby accepted and accordingly the marriage of the petitioners solemnized on 29.10.2012 at Jammu in accordance with the Hindu Rites and Rituals at Jammu is hereby dissolved with mutual consent of the petitioners in terms of the provisions contained under section 13-B of the Hindu Marriage Act on



the terms and conditions which have already been mentioned in the instant petition as well as in the statements of the petitioners in the affidavits filed before the court in the present petition. The petitioner no.2 is entitled to get released an amount of Rs. 8,50,000/- from this court which has been deposited by the petitioner no.1 on account of permanent alimony. Out of the said amount of Rs. 8,50,000/-, FDR for an amount of Rs. 4,00,000/- shall be made in the name of the minor Naira, till she attains the age of majority, however, petitioner No.2 being the sole nominee and legal guardian shall be competent to withdraw interest accrued on the fixed deposit for welfare of the minor child. The petitioner no.2 namely Deepika Gambhir being the mother shall be guardian of the minor child in all respects and she has every right to apply before any department/ institution for any document or any other requirement which are to be fulfilled by the guardian, so that the minor should not suffer in any manner. Petitioners are impressed upon to withdraw their cases pending against each other. Accordingly, a decree is passed in their favour. Office to draw a decree sheet in compliance to this judgment. No order is passed as to costs. File shall be consigned to records after its due compilation under rule.”

6. It would be advantageous to reproduce first condition agreed upon by the parties before the Court of learned Principal Judge, Family Court, Jammu, which reads thus:

“i. Parties shall withdraw their respective litigations including litigations against their relatives/family members, pending before the Subordinate, District and the Hon'ble High Court of Jammu & Kashmir & Ladakh on second motion statement and further bound to make their respective statements, to enable the Hon'ble Courts to quash the



criminal proceedings and acquittal in non-compoundable offences/ matters. Petitioner No.1 shall be bound to convince Shri Arun Dhar for withdrawal of the criminal proceedings preferred against petitioner No.1 and family members. Parties also agreed that they shall not file any further litigation amongst each other and relatives and family members.”

7. In view of the amicable settlement arrived at between the parties, their specific statements made before the learned Registrar Judicial and as the complaint dated 10.10.2017 has been disposed of, the petition on hand has been rendered infructuous.

8. In view of the afore-stated facts and circumstances of the case, this petition is disposed of being infructuous, along with connected application(s).

9. **Disposed** of accordingly, along with connected application(s).

(M A Chowdhary)
Judge

Jammu:
22.09.2025
Surinder

Whether the order is speaking?
Whether the order is reportable?

Yes/No
Yes/No