

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1231 OF 2015
(Arising out of SLP (Crl.) No.3509 of 2012)

Amit Bhandari ...Appellant

Versus

Deeksha Bhandari ...Respondent

WITH

CRIMINAL APPEAL NO. 1232 OF 2015
(Arising out of SLP (Crl.) No.1416 of 2013)

ORDER

Leave granted.

By our order dated 12th February, 2015, we had, at the request of learned counsel for the parties, allowed the parties to file a joint petition under Section 13-B of the Hindu Marriage Act, 1955 for dissolution of their marriage by mutual consent. We had also directed that no sooner the competent court seized of the matter passes a decree for divorce by mutual consent, all civil and criminal proceedings instituted against the petitioner-husband and his family

members shall stand quashed. We had, while doing so, reserved liberty to the petitioner-husband to pursue any remedy that may be available to him against the State of Maharashtra and the State of NCT of Delhi or its officers. We had also made it clear that after the dissolution of marriage between the parties, the parties shall be free to marry again according to their choice and that they shall have no claim whatsoever either civil or criminal against each other.

We are today told by the learned counsel for the respondent-wife that the Court of Smt. Bimla Kumari, Judge-North West, Family Court, Rohini Courts, Delhi has allowed HMA Petition No.729 of 2015 filed under Section 13-B(2) of the Hindu Marriage Act, 1955 and dissolved the marriage between the parties by mutual consent. In that view, therefore, order dated 12th February, 2012 passed by us takes effect quashing FIR No.90/2010 registered at P.S. North Rohini, New Delhi, under Section 498A, 406 read with Section 34 IPC and related proceedings currently pending before the competent court at Rohini. Similarly, CC No.47/3/2010 being a petition filed under Section 12 of the Domestic Violence Act, 2005 pending before the competent

court at Rohini, Delhi, shall also stand quashed. So also Maintenance Case No.75/2010 filed under Section 125 of the Code of Criminal Procedure and Execution Petition filed in relation to orders made in the said case shall also stand quashed. We further direct that the parties shall in terms of the statements made by them earlier and recorded by us in our order dated 12th May, 2015 have nothing to do with each other in future and shall be free to contract a marriage with anyone else if so advised.

Learned counsel for the respondent-wife submits that according to her instructions, the petitioner-husband has filed two fresh cases against her in some court at Mumbai. The petitioner, however, denies having filed any such cases and submits that he has neither filed any case other than those mentioned above nor does he intend to file any case in future in view of the full and final settlement arrived at between them in terms of the decree for dissolution of their marriage. That submission is recorded.

In the light of what is said above, nothing further survives for our consideration as far as criminal appeals arising out of SLP (Crl.) No. 3509 of

2012 and SLP (Crl.) No.1416 of 2013 are concerned which shall stand disposed of in terms of the above. The parties shall bear their own costs.

.....J.
(T.S. THAKUR)

.....J.
(KURIAN JOSEPH)

New Delhi
September 8, 2015

ITEM NO.24

COURT NO.2

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 (Crl.) No. 3509/2012

(Arising out of impugned final judgment and order dated 13/12/2011 in CRLRP No. 557/2011,28/03/2012 in CRLRP No. 557/2011 passed by the High Court Of Delhi At New Delhi)

AMIT BHANDARI

Petitioner(s)

VERSUS

DEEKSHA BHANDARI

Respondent(s)

(with appln. (s) for modification of court's order and office report)

WITH

SLP(Crl) No. 1416-1417/2013

(With appln.(s) for permission to file additional documents and appln.(s) for exemption from filing O.T. and appln.(s) for exemption from filing c/c of the impugned judgment and appln.(s) for ex-parte stay and Office Report)

Date : 08/09/2015 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR

HON'BLE MR. JUSTICE KURIAN JOSEPH

For Petitioner(s)

Petitioner-in-person,Adv.

For Respondent(s)

Mrs. Priya Puri,Adv.

UPON hearing the counsel the Court made the following

O R D E R

SLP (Crl.) No.3509 of 2012 & SLP (Crl.) No.1416 of 2013

Leave granted.

The criminal appeals arising out of SLP (Crl.) No.3509 of 2012 and SLP (Crl.) No.1416 of 2013 are disposed of in terms of the signed order.

SLP (Crl.) No.1417 of 2013

This matter is de-tagged.

(Ashok Raj Singh)

Court Master

(Signed Order is placed in the file)

(Veena Khera)

Court Master