

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No. 460 OF 2007

RAJNI SHARMA

... Appellant(s)

Versus

STATE OF U.P. AND ORS.

... Respondent(s)

O R D E R

We have been informed by learned counsel appearing for both the parties that the matter between husband and wife has since been settled. The present is a case where the alleged paramour of the husband, who is stated to be in USA, has applied for quashing of the case against her.

Apart from that the fact that the paramour is not a family member, we find, on a reading of the FIR dated 23.03.2003, that the only thing stated against this lady is that " the opposite party No. 1, the husband of the complainant used to bring home an adult girl named Rajni Sharma and he asked the complainant to serve (Aavbhagat) her and used to commit vulgar activities with Rajni Sharma in presence of the complainant and also threatened the complainant of his second marriage with her and also compel complainant to demand the sum of Rs.

6,00,000/- for dowry".

It is evident from this statement in the FIR that no case whatsoever is made out under Section 498A, Indian Penal Code against the appellant.

In the circumstances, we allow this appeal and set-aside the judgment of the High Court and quash the proceedings against the appellant.

CRLMP No. 9904 of 2008:

This CRLMP is disposed of by allowing the applicant to approach the High Court for the relief claimed therein.

.....J.
(ROHINTON FALI NARIMAN)

.....J.
(PRAFULLA C.PANT)

New Delhi,
Dated: 21st March, 2017.

ITEM NO.101

COURT NO.13

SECTION II

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

Criminal Appeal No(s). 460/2007

RAJNI SHARMA

Appellant(s)

VERSUS

STATE OF U.P. & ORS.

Respondent(s)

(with appln. (s) for permission to file addl. documents and clarification/direction and exemption from filing O.T. and office report)

Date : 21/03/2017 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE PRAFULLA C. PANT

For Appellant(s) Mr. P. N. Puri, Adv.
Ms. Reeta Dewan Puri, Adv.
Mr. Dhiraj, Adv.

For Respondent(s) Mr. M. R. Shamshad, Adv.
Mr. Rajat Singh, Adv.
Mr. Zaki Ahmad Khan, Adv.
Mr. Aditya Samaddar, Adv.
Mr. Harshita Deshwal, adv.

Mr. Vishnu Sharma, Adv.

Ms. Rachana Srivastava, Adv.
Mr. Sukrit R. Kapoor, Adv.

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

The appeal is allowed in terms of the signed order.

(Shashi Sareen)
AR-cum-PS(S.S.R.Krishna)
Assistant Registrar

(Signed order is placed on the file)