

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S). OF 2025
(Arising out of SLP(Cr1.)No.449/2024)

VEDANT SHUKLA & ORS.

APPELLANT(S)

VERSUS

STATE OF MADHYA PRADESH & ANR.

RESPONDENT(S)

O R D E R

1. Leave granted.

2. Heard Mr. Siddharth Aggarwal, learned senior counsel for the appellants and Mr. Sarthak Raizada, learned counsel for the respondent-State.

3. Appellant no.1 is the husband of respondent no.2 (wife) and their marriage was solemnized on 12.02.2011 as per the Hindu rites and ceremonies. There are no children born from the wedlock. Due to the marital discord between the parties an FIR bearing Crime No.123/2020 registered with Mahila Police Thana, Bhopal for the offences punishable under Sections 498A, 506 & 34 of Indian Penal Code which was filed by the wife on 15.10.2020 alleging cruelty and criminal intimidation on the part of the husband, mother-in-law and sister-in-law. Meanwhile, due to the mediation, by relatives, friends and in-laws, there was a settlement between the parties and a joint petition under Section 13B of the Hindu Marriage Act was filed on 09.01.2021 before the Court concerned and after the due process as her statement

was recorded on 09.09.2021, their marriage was dissolved by decree of divorce on 13.09.2021.

4. It is informed by the learned senior counsel for the appellants that even prior to the grant of decree of divorce, in criminal proceedings initiated by the wife, a chargesheet was filed before the concerned Magistrate on 19.12.2020. Nothing further happened in the case and even charges have not been framed as of now. Meanwhile, in the joint petition filed in the Family Court at Bhopal, where petitioner no.1 is the wife, the following inter-alia was recorded:-

"XXXXX

10. That, both the parties agree that the complaint filed by the petitioner no.1 under Section 498A of the Indian Penal Code 1860 shall be resolved on or before the finalization of this particular petition."

5. Thereafter, the statement of the wife was also recorded on 09.09.2021 which inter-alia reads as:-

"XXXXX

7. I had lodged a report of dowry harassment against Vedant Shukla and his family in the Mahila Police Station Bhopal, I will not take any action in that matter in the concerned competent forum/Court."

6. Since, the respondent-wife did not comply with the undertaking, a petition was filed under Section 482 of the Code of Criminal Procedure by the appellant no.1 before

the High Court bringing all the relevant facts as has been referred to in the preceding paragraph before the High Court with the prayer to quash the proceedings. Nevertheless, the said petition of the appellant no.1 was dismissed by the High Court for the reason given below:-

"7. I am of the considered view that a criminal case under Sections 498A, 506 & 34 of the IPC cannot be quashed merely on the basis of a statement recorded in Family Court in a petition for mutual divorce by the parties."

7. Be that as it may, we have gone through the FIR, apart from making their statement regarding demand of dowry criminal intimidation etc., there are no details of such an incident. Learned senior counsel for the appellants relied upon the judgment of this Court in the cases of "Ruchi Agarwal vs. Amit Kumar Agrawal & Ors., reported in 2005(3) SCC 299 and in "Mohd.Shamim & Ors. vs. Nahid Begum (Smt) & Anr., reported in 2005 (3)SCC 302 where on the similar conduct of the wife, criminal proceedings were indeed quashed.

8. For the reasons stated above, we allow this appeal and set aside the order of the High Court dated 19.10.2023.

9. Accordingly, the criminal proceedings arising out of FIR bearing Crime No.123/2020 registered with Mahila Police Thana, Bhopal for the offences punishable under Sections 498A, 506 & 34 of Indian Penal Code are hereby quashed.

10. Pending application(s), if any, shall stand disposed of.

.....J.
[SUDHANSHU DHULIA]

.....J.
[PRASHANT KUMAR MISHRA]

New Delhi;
January 21, 2025.

ITEM NO.14

COURT NO.13

SECTION II-A

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 (CrI.) No(s). 449/2024

[Arising out of impugned final judgment and order dated 19-10-2023 in MCRC No. 19751/2023 passed by the High Court of Madhya Pradesh Principal Seat at Jabalpur]

VEDANT SHUKLA & ORS.

PETITIONER(S)

VERSUS

STATE OF MADHYA PRADESH & ANR.

RESPONDENT(S)

(IA No. 271212/2024 - EXEMPTION FROM FILING O.T.)

Date : 21-01-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SUDHANSHU DHULIA
 HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s) Mr. Siddharth Aggarwal, Sr. Adv.
 Mr. Pallav Mongia, AOR
 Mr. Anubhav Mishra, Adv.
 Mr. Amritesh Krishna, Adv.
 Mr. Shashank Dwivedi, Adv.
 Mr. Pareekshit Bishnoi, Adv.

For Respondent(s) Ms. Mrinal Gopal Elker, AOR
 Mr. Sarthak Raizada-g.a., Adv.
 Ms. Chhavi Khandelwal, Adv.

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

Leave granted.

The present appeal is allowed in terms of the signed order, which is placed on the file.

Pending application(s), if any, shall stand disposed of.

(NIRMALA NEGI)
 COURT MASTER (SH)

(RENU BALA GAMBHIR)
 ASSISTANT REGISTRAR