

**IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION**

Transfer Petition (Cr1.) Nos.349-350/2021

MOHIT BHANDARI

Petitioner(s)

VERSUS

SUMEDHA BHANDARI & ORS.

Respondent(s)

O R D E R

Heard learned counsel for the parties.

Learned counsel parties state that the parties have settled their dispute and are living together.

The question which has to be still examined is in what manner the litigation already initiated by the parties be quashed. In terms of the settlement agreement dated 09.06.2022 following cases are mentioned which are lying pending between the parties:

"CASES FILED BY MOHIT BHANDARI- PETITIONER

- a. Criminal Revision No.95/2021 pending before the Ld. Addl. Session Judge, Ludhiana (Punjab) wherein the next date of hearing is 27.7.2022.
- b. Criminal Miscellaneous No.316 of 2020 filed before Ld. Principal Judge, Family Court, Gautam Budh Nagar (UP), U/s. 6 of Hindu Minority and Guardianship Act 1956 r/w Section 26 of the Hindu Marriage Act, 1955 for seeking custody of the child wherein next date of hearing is 20.7.2022.

CASES FILED BY SUMEDHA BHANDARI-RESPONDENT

Because of the misunderstanding, the respondent wife filed following cases:

- a. FIR No.91/2019 dated 29.7.2019 at PS Mahila Thana, District-Gautam Budh Nagar (UP) u/S 313/323/504/498-A, R/W Section 3 and 4 of the Dowry Prohibition Act, wherein the Police filed chargesheet against the Petitioner u/S 323, 504, 498-A R/W Section 3 and 4 of the Dowry Prohibition Act and is now pending before the Chief Judicial Magistrate, Gautam Budh Nagar bearing Criminal Case No.160862/2020 wherein the next date of hearing is 28.6.2022.
- b. A Maintenance Petition u/S 125 Cr.P.C. bearing No.MNT/125/2075/2019 in the Court of Hon'ble Principal Judge, Family Court, Ludhiana wherein the next date of hearing is 26.9.2022.
- c. A complaint case bearing No.COMA/27328/2019, u/S 12 of the Protection of Women from Domestic Violence Act, 2005 before the Illaqa Magistrate, Ludhiana, wherein the next date of hearing is 06.8.2022."

Prayer is made on behalf of the parties for quashing of above-mentioned proceedings initiated against each other and/ or the proceedings should be treated as withdrawn.

In view of the endeavour of the parties to live together, existence of these cases would certainly come in the way. Therefore, we are inclined to exercise our jurisdiction under Article 142 of the Constitution of India and quash all the cases filed inter se the parties.

The Settlement agreement is taken on record and the IA No. 106534/2022-application for settlement stands disposed of.

In view of the settlement agreement the transfer petitions have become infructuous and are accordingly disposed of.

.....J.
(SANJAY KISHAN KAUL)

.....J.
(ABHAY S. OKA)

NEW DELHI
07th September, 2022

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Transfer Petition(s)(Criminal) No(s). 349-350/2021

MOHIT BHANDARI

Petitioner(s)

VERSUS

SUMEDHA BHANDARI & ORS.

Respondent(s)

(IA No.105377/2021-EX-PARTE STAY

IA No. 106534/2022 - APPLICATION FOR SETTLEMENT)

Date : 07-09-2022 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) Mr. Arvind Gupta, AOR
Mr. Anil Kumar Sahu, Adv.
Mr. Mohit Bidhuri, Adv.
Mr. Vinod Kaushik, Adv.
Mr. Arun Kumar Tiwary, Adv.
Mr. Pran Krishna Jana, Adv.
Mr. Utkarsh Sahu, Adv.

For Respondent(s) Mr. Karan Dewan, Adv.
Miss Aanchal Jain, AOR
Mr. Kartik Yadav, Adv.

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

Heard learned counsel for the parties.

The transfer petitions have become infructuous in terms of the
signed order.

Pending applications stand disposed of.

(RASHMI DHYANI PANT)
COURT MASTER

(POONAM VAID)
COURT MASTER

(signed order is placed on the file)