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

**CRIMINAL APPEAL NOS. 394-395 OF 2021**
**(Arising out of SLP(Crl.)Nos. 3175-76 of 2021)**
**(Diary No. 11723 of 2020)**

                                          **Appellant(s)**

**VERSUS**

**STATE & ANR.**                          **Respondent(s)**

**O R D E R**

Delay condoned.

Leave granted.

These appeals take exception to the judgment and
order dated 14.11.2019 and 30.01.2020 passed by the High
Court of Delhi at New Delhi in Writ Petition Criminal
Nos. 2382 of 2019 and 287 of 2020 respectively, whereby
the High Court rejected the criminal writ petitions for
quashing of FIR No. 455 of 2013 dated 17.09.2013 in
respect of offence registered at P.S. Safdarjung Enclave,
Delhi and the consequential proceedings emanating
therefrom.

The gravamen of the allegations in the FIR filed by
the private respondent was that the appellant had

promised her that he will marry her, which promise was not kept by the appellant. The FIR was registered on 17.09.2013.

It is not in dispute that after the registration of FIR, the parties were able to resolve their differences and eventually got married on 11.10.2014. The appellant as well as private respondent represented by Ms. Meenakshi Arora, learned senior counsel jointly state that they are enjoying happy married life.

A joint request is, therefore, made on behalf of the appellant and the private respondent that the FIR registered on 17.09.2013 be quashed as it was the outcome of some misunderstanding between the parties.

Considering the nature of allegations in the FIR and the realization of the fact that due to miscommunication FIR came to be registered at the relevant point of time which issues/misunderstanding have now been fully resolved and the parties are happily married since 11.10.2014, the basis of FIR does not survive. Rather registering such FIR was an ill-advised move on the part of the private respondent, is the stand now taken before us. It is seen that the appellant and private respondent are literate and well-informed persons and have jointly

opted for quashing of the stated FIR.

Taking overall view of the matter, therefore, in the interest of justice, we accede to the joint request of quashing of FIR in the peculiar facts of the present case.

Hence, these appeals must succeed. The impugned judgment and order is set aside. Instead, the Writ Petition filed by the appellant for quashing is allowed, as a result of which, all steps taken on the basis of impugned FIR be treated as effaced from the record in law.

The appeals are disposed of in the above terms.

Pending applications, if any, stand disposed of.


....................J
(A.M. KHANWILKAR)


....................J
(DINESH MAHESHWARI)

New Delhi
April 12, 2021

ITEM NO.30        Court 5 (Video Conferencing)        SECTION II-C

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 11723/2020

(Arising out of impugned final judgment and order dated  14-11-2019
in WPCRL No. 2382/2019 30-01-2020 in WPCRL No. 287/2020 passed by
the High Court Of Delhi At New Delhi)

Petitioner(s)

VERSUS

STATE & ANR.                                    Respondent(s)


(IA No. 57856/2020 - CONDONATION OF DELAY IN FILING
IA No. 35195/2021 - EARLY HEARING APPLICATION
 IA No. 57857/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT
 IA No. 57858/2020 - EXEMPTION FROM FILING O.T.
 IA No. 57859/2020 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 12-04-2021 These matters were called on for hearing today.

CORAM :
        HON'BLE MR. JUSTICE A.M. KHANWILKAR
        HON'BLE MR. JUSTICE DINESH MAHESHWARI


For Petitioner(s)
                Mr. Siddhartha Dave, Sr. Adv.
                Mr. Nishaank Mattoo, Adv.
                Mr. Abhishek Bharti, Adv.
                Mr. Balaji Srinivasan, AOR

For Respondent(s)
                Ms. Meenakshi Arora, Sr. Adv.
                Mr. Ankur Yadav, AOR
                Mr. Vivek Tandon, Adv.

                Mr. Chirag M. Shroff, AOR
                Ms. Abhilasha Bharti, Adv.
                Mr. Sushant Dogra, Adv.


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

Delay condoned.

Leave granted.

The appeals are disposed of in terms of the signed order.

Pending applications, if any, stand disposed of.


(DEEPAK SINGH)                                      (VIDYA NEGI)
COURT MASTER (SH)                          COURT MASTER (NSH)
            [Signed order is placed on the file]