

Jatin Agarwal vs The State Of Telangana on 21 March, 2022

Bench: Vineet Saran, J.K. Maheshwari

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.456 OF 2022
(Arising out of SLP(Criminal) No.9568 of 2021)

JATIN AGARWAL

APPELLANT

VERSUS

STATE OF TELANGANA & ANR.

RESPONDENTS

O R D E R

Leave granted.

An FIR was lodged against the appellant by the respondent no.2 for offences under Sections 417, 420 and 376 IPC alleging that the respondent no.2 was introduced to the petitioner through Bharat Matrimony and thereafter they remained in touch with each other. It was alleged that on the promise to marry, the appellant made physical relationship with respondent no.2. Thereafter, since the appellant refused to marry, the FIR was lodged by the respondent no.2. However, it is not disputed that on 23.09.2020, the appellant and the respondent no.2 have got married, for which marriage certificate has also been issued on the same date.

The appellant then filed an application for quashing of the FIR. The High Court dismissed the petition filed under Section 482 Cr.P.C. Aggrieved by the said order, Date: 2022.03.22 this appeal by way of special leave petition has been filed.

On earlier occasion, this Court directed the respondent no.2 to be present through video-conferencing. Today, respondent no.2, namely, Ms. T. Harshini appeared through video-conferencing, who has been duly identified by Mr. Saivamshi V., leaned counsel. Respondent no.2 has made a statement that it is correct that she is now married to the appellant and leading a happy married life and has also made a statement that she does not wish to press the FIR lodged against the appellant.

Considering the aforesaid facts and keeping in view that the respondent no.2/complainant has herself made a statement before us that she has married the appellant and now living happily, we exercise our powers under Article 142 of the Constitution of India and to do complete justice in the matter, we quash the FIR dated 15.08.2020 lodged by the respondent no.2 against the appellant

under Sections 417, 420 and 376 IPC.

The appeal stands allowed accordingly.

.....J. (VINEET SARAN)J. (J.K. MAHESHWARI) New Delhi;

MARCH 21, 2022

ITEM NO.38 Court 9 (Video Conferencing) 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(s).9568/2021 (Arising out of impugned final judgment and order dated 09-09-2021 in CRLP No.1703/2021 passed by the High Court For The State Of Telangana At Hyderabad) JATIN AGARWAL Petitioner(s) VERSUS STATE OF TELANGANA & ANR. Respondent(s) (IA No. 161267/2021 - EXEMPTION FROM FILING O.T., IA No.161269/2021

- PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES) Date : 21-03-2022
This matter was called on for hearing today. CORAM :

HON'BLE MR. JUSTICE VINEET SARAN HON'BLE MR. JUSTICE J.K.
MAHESHWARI For Petitioner(s) Mr. Prateek Tewari, Adv.

Mr. Deepak Gupta, Adv.

Mr. Govind Goyal, Adv.

Mr. Tungesh, AOR For Respondent(s) Ms. Bina Madhavan, Adv Mr. S. Udaya Kumar Sagar, AOR Ms. Sweena Nair, Adv Mr. P. Mohith Rao, Adv UPON hearing the counsel the Court made the following O R D E R Leave granted.

The appeal is allowed in terms of the singed order.

Pending application(s), if any, stands disposed of.

(ARJUN BISHT) (PRADEEP KUMAR) (ASHWANI THAKUR) (COURT MASTER
(SH) (BRANCH OFFICER) AR-CUM-PS (signed order is placed on the file)