



IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. _____ OF 2025

(Arising out of Special Leave Petition (Criminal) No.10817 of 2024)

...APPELLANT

VERSUS

**STATE OF MADHYA PRADESH
& ANOTHER**

...RESPONDENTS

J U D G M E N T

NAGARATHNA, J.

Leave granted.

2. Briefly stated, the facts of the case are that the appellant is the father-in-law of respondent No.2. In April 2017, respondent No.2 came into contact with the appellant's son through a matrimonial website. What began as a digital acquaintance soon developed into a personal relationship.

3. The marriage between respondent No.2 and the appellant's son was solemnised on 23.12.2017 in accordance with the provisions of the Special Marriage Act, 1954. However, by April 2019, differences appear to have arisen between the couple. On 15.05.2019, respondent No.2 left the matrimonial home and returned to her parental residence at Jabalpur. It is stated that she informed her family of the mental and physical cruelty allegedly meted out to her by her husband and his family members.

4. Respondent No.2 approached the Mahila Police Station, Jabalpur and pursuant to her complaint, both parties were called for counselling. While the appellant's son was to appear for the first session of counselling which took place on 26.05.2019, he was in fact present during the second session conducted on 02.06.2019. That session, which was also attended by members of both families, culminated in an understanding that the marriage would be solemnised again, this time through customary Hindu rites, within two months.

5. However, the accord reached did not last long. Disputes appear to have resurfaced shortly thereafter. Respondent No.2 once again left the matrimonial home. On 21.07.2019, she lodged First Information Report (“FIR”) No.58 of 2019 at Mahila Police Station, Jabalpur, naming her husband i.e., the appellant’s son, the appellant herein (her father-in-law), mother-in-law and sister-in-law as accused under Sections 498A and 34 of the Indian Penal Code, 1860 (“IPC”) and Sections 3 and 4 of the Dowry Prohibition Act, 1961 (“Dowry Act”). As per the contents of the FIR, respondent No.2 alleged that soon after the counselling sessions, fresh demands were made by the appellant and his wife, including a sum of Rupees five lakhs in cash, gold ornaments, a motor car, clothing, and other customary articles. It was further alleged that they insisted upon the ceremonial Hindu marriage being held at a respectable hotel.

6. While there was, at first, some indication of conciliation, the situation deteriorated soon thereafter. The appellant is alleged to have called respondent No.2 to Jabalpur Railway Station, where he publicly admonished her, slapped her, and threatened to ruin her life, expressing his displeasure at having been summoned to

the police station. It is further alleged that he reiterated the dowry demand, which, according to the complainant, was subsequently enhanced to Rupees ten lakhs. Thereafter, the charge sheet was filed on 18.08.2019 against the appellant, the appellant's son and other family members.

7. Being aggrieved by the continuation of the criminal proceedings, the appellant herein, who is the father-in-law of respondent No.2, along with his son, who is the husband of respondent No.2 and other family members, approached the High Court by filing Misc. Criminal Case No.30559 of 2022 and Misc. Criminal Case No.50062 of 2019 under Section 482 of the Code of Criminal Procedure, 1973 ("CrPC"), seeking quashing of FIR No.58 of 2019 registered at Police Station Mahila Thana, Jabalpur, and all consequential proceedings arising therefrom.

8. By common order dated 07.05.2024, the High Court partly allowed the petitions. The High Court quashed the criminal proceedings against the mother-in-law and sister-in-law of respondent No.2 in Misc. Criminal Case No.50062 of 2019 on the ground that the allegations levelled against them were general in nature and lacked specific attribution of any overt act. However,

the High Court refused to quash the criminal proceedings pending against the appellant and the appellant's son in Misc. Criminal Case No.30559 of 2022. The High Court observed that the FIR contained specific allegations against the appellant and his son, including a demand for dowry and an incident where the appellant allegedly slapped respondent No.2 at the railway station. It is in these circumstances that the appellant herein has preferred the present appeal.

9. We have heard learned counsel for the appellant and learned counsel for the respondent No.1-State and perused FIR No. 58 of 2019 dated 21.07.2019 and other material on record. Respondent No.2 has chosen not to appear before this Court.

10. During the course of the hearing, it was brought to the notice of this Court that a decree of divorce had been granted between the appellant's son and respondent No.2 by the Family Court at Bhubaneswar, by judgment and decree dated 24.08.2021.

11. Learned counsel for the appellant submitted that the appellant's son had instituted a petition for divorce against respondent No.2 on 20.06.2019. It was submitted that the filing

of FIR No.58 of 2019, dated 21.07.2019, by respondent No.2 was nothing but a counterblast, intended to pressurise the appellant's son and his family, and constituted an abuse of the process of law. Drawing our attention to the nature of allegations, it was submitted that respondent No.2 had alleged that the appellant demanded a sum of Rs.5 lakhs by way of dowry and had slapped her on 02.06.2019. However, no complaint or grievance was raised immediately thereafter. The FIR, it was pointed out, came to be lodged only after respondent No.2 received summons in the divorce proceedings. Learned counsel further contended that if such an incident had in fact occurred on 02.06.2019, respondent No.2 would have raised it during the counselling session held at the Mahila Police Station, Jabalpur, where both parties were present. It was urged that the absence of any such complaint at the relevant time renders the allegation baseless and motivated.

12. It was further submitted that the criminal proceedings have been initiated by respondent No.2 solely with the intent to extort money from appellant's son, who is stated to have paid substantial sums both prior to and after the marriage. Learned counsel also drew our attention to the fact that the High Court,

by the very same impugned order, had quashed the proceedings as against the mother-in-law and sister-in-law of respondent No.2, yet declined to extend similar relief to the appellant, who stands on an identical footing, being the father-in-law. It was, therefore urged that the present case merited quashing of the FIR, and that the impugned order dated 07.05.2024 be set aside. A prayer was accordingly made for quashing the criminal proceedings arising out of FIR No.58 of 2019 dated 21.07.2019, insofar as they relate to the appellant.

13. *Per contra*, learned counsel appearing for respondent No.1-State opposed the prayer for quashing and submitted that the FIR contains specific and detailed allegations not only against the appellant but also against his son. It was submitted that the appellant is alleged to have demanded a sum of Rs.5 lakhs towards dowry at the time of marriage, along with other items, including gold ornaments and a motor vehicle. The said demand is further alleged to have been subsequently increased to Rs.10 lakhs. Learned counsel further submitted that the FIR contains allegations of physical assault and wrongful confinement of the complainant and that her mobile phone was allegedly taken away

by appellant's son, thereby preventing her from contacting her family.

14. It was next submitted that specific incident is alleged to have taken place at Jabalpur Railway Station, wherein the appellant is said to have slapped the complainant and issued threats. Pursuant thereto, a complaint was lodged at the Mahila Thana, Jabalpur, and counselling proceedings were initiated. Although a temporary settlement is stated to have been arrived at during the said counselling, it is alleged that the demands and harassment continued even thereafter.

15. Reliance was placed on the statements of five witnesses cited in the chargesheet, including two brothers of the complainant-respondent No.2 herein, who are stated to have supported the allegations. The chargesheet was filed on 18.08.2019, and the matter remains pending before the Court of the Judicial Magistrate First Class at Jabalpur, though further proceedings have been stayed by order dated 02.05.2025 passed by this Court. It was submitted that the High Court, upon due consideration of the material on record, rightly declined to quash the proceedings as against the appellant and his son, while

granting relief to the other co-accused in respect of whom no specific role was attributed.

16. Having heard learned counsel for the respective parties and upon perusal of the material placed on record, the only question that arises for consideration is, whether, the allegations contained in FIR No.58 of 2019 warrant quashing of the same having regard to the facts and circumstances of the case.

17. In the present case, the allegations in FIR No.58 of 2019 pertain to offences punishable under Sections 498A and 34 of the IPC and Sections 3 and 4 of the Dowry Act. Section 498A of the IPC relates to cruelty by the husband or his relatives, including the father-in-law, against the wife. Section 34 concerns acts done by several person in furtherance of common intention. The provisions read as under:

“34. Acts done by several persons in furtherance of common intention.— When a criminal act is done by several persons in furtherance of the common intention of all, each of such persons is liable for that act in the same manner as if it were done by him alone.

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498-A. Husband or relative of husband of a woman subjecting her to cruelty.—Whoever, being the husband or the relative of the husband of a woman, subjects such woman to cruelty shall be punished with imprisonment

for a term which may extend to three years and shall also be liable to fine.

Explanation.—For the purpose of this section, “cruelty” means—

(a) any wilful conduct which is of such a nature as is likely to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health (whether mental or physical) of the woman; or

(b) harassment of the woman where such harassment is with a view to coercing her or any person related to her to meet any unlawful demand for any property or valuable security or is on account of failure by her or any person related to her to meet such demand.”

18. Further, Sections 3 and 4 of the Dowry Act talk about the penalty for giving or taking or demanding a dowry.

“Section 3. Penalty for giving or taking dowry.— (1) If any person, after the commencement of this Act, gives or takes or abets the giving or taking of dowry, he shall be punishable with imprisonment for a term which shall not be less than five years, and with fine which shall not be less than fifteen thousand rupees or the amount of the value of such dowry, whichever is more:

Provided that the Court may, for adequate and special reasons to be recorded in the judgment, impose a sentence of imprisonment for a term of less than five years.

(2) Nothing in sub-section (1) shall apply to, or in relation to—

(a) presents which are given at the time of a marriage to the bride without any demand having been made in that behalf:

Provided that such presents are entered in a list maintained in accordance with the rules made under this Act;

(b) presents which are given at the time of a marriage to the bridegroom without any demand having been made in that behalf:

Provided that such presents are entered in a list maintained in accordance with the rules made under this Act:

Provided further that where such presents are made by or on behalf of the bride or any person related to the bride, such presents are of a customary nature and the value thereof is not excessive having regard to the financial status of the person by whom, or on whose behalf, such presents are given.

Section 4. Penalty for demanding dowry.—If any person demands, directly or indirectly, from the parents or other relatives or guardian of a bride or bridegroom, as the case may be, any dowry, he shall be punishable with imprisonment for a term which shall not be less than six months, but which may extend to two years and with fine which may extend to ten thousand rupees:

Provided that the court may, for adequate and special reasons to be mentioned in the judgment, impose a sentence of imprisonment for a term of less than six months.”

19. Section 498A of the IPC prescribes punishment where a woman is subjected to cruelty by her husband or his relatives. The offence is punishable with imprisonment for a term which may extend to three years and also provides for fine. The

Explanation appended to the provision defines "cruelty" in two parts. Clause (a) refers to wilful conduct which is of such a nature as is likely to drive the woman to commit suicide or to cause grave injury or danger to her life, limb or health, whether mental or physical. Clause (b) expands the scope of the term to include harassment with a view to coercing the woman or her relatives to meet any unlawful demand for property or valuable security, or on account of failure to meet such demand.

20. Section 3 of the Dowry Act pertains to punishment for giving or taking dowry. It prescribes a minimum sentence of five years and imposes a fine which shall not be less than fifteen thousand rupees or the value of the dowry, whichever is higher.

21. Section 4 of the Dowry Act penalises the act of demanding dowry. It provides that any person who, directly or indirectly, demands dowry from the parents, relatives, or guardians of either party to a marriage, shall be punishable with imprisonment for a term which shall not be less than six months but may extend to two years, and shall also be liable to fine which may extend to ten thousand rupees.

22. A bare perusal of the FIR and the materials placed on record reveals that the specific allegation against the appellant is that, on 02.06.2019, he slapped the complainant at Jabalpur Railway Station, reiterated a demand for dowry in the sum of Rs.5 lakhs, and threatened to ruin her life. It is further alleged that the said demand was later increased to Rs.10 lakhs. However, the FIR came to be registered only on 21.07.2019. It appears to this Court that the FIR lodged by respondent No.2 is highly belated and is not free from doubt.

23. The complainant is stated to have left the matrimonial home on 15.05.2019 and returned to her parental residence. Thereafter, both parties were summoned to the Mahila Police Station, Jabalpur, for counselling. Sessions were held on 26.05.2019 and 02.06.2019, attended by the appellant's son and members of both families. Notably, there is no material to indicate that any allegation of physical assault or dowry demand by the appellant was raised by the complainant during these sessions. On the contrary, the record indicates that the counselling held on 02.06.2019 culminated in a mutual understanding that the parties would remarry in accordance with Hindu rites within two

months. This conduct is wholly irreconcilable with the allegations that were subsequently made. FIR No.58 of 2019 came to be lodged on 21.07.2019, nearly two months after the counselling proceedings had concluded. In this FIR, allegations were levelled not only against the husband but also against the appellant, the mother-in-law, and the sister-in-law. It is alleged that the appellant slapped the complainant in public at Jabalpur Railway Station and reiterated the demand for dowry. However, no explanation is forthcoming as to why such serious allegations were not disclosed earlier, particularly when the parties were engaged in conciliation. The complaint has been made subsequent to the steps taken for filing a divorce petition by respondent No.2's husband.

24. It is not in dispute that the appellant's son and respondent No.2 have since parted ways pursuant to the decree of divorce dated 24.08.2021 which has attained finality. Once the marital relationship between the principal parties stands legally dissolved, the continuation of criminal proceedings arising out of the discord of that relationship serves little purpose. The appellant before us is the father-in-law of respondent No.2. With

the marriage of appellant's son and respondent No.2 having come to an end, the continuation of proceedings against the appellant would neither advance the cause of justice nor serve any practical purpose. On the contrary, it would only perpetuate hostility between the parties who appear to have otherwise moved on with their lives.

25. This Court, in ***Dara Lakshmi Narayana vs. State of Telangana, (2025) 3 SCC 735***, has made it clear that family members of the husband ought not to be unnecessarily roped into criminal proceedings arising out of matrimonial discord. The Court observed that it has become a recurring tendency to implicate every member of the husband's family, irrespective of their role or actual involvement, merely because a dispute has arisen between the spouses. It was further held that where the allegations are bereft of specific particulars, and particularly where the relatives sought to be prosecuted are residing separately or have had no connection with the matrimonial home, allowing the prosecution to proceed would amount to an abuse of the process of law. The Court noted that criminal law is not to be

deployed as an instrument of harassment, and that judicial scrutiny must be exercised to guard against such misuse.

26. Furthermore, this Court has consistently taken the view that where the matrimonial relationship has come to an end by way of divorce, and the parties have since settled in their respective lives, criminal prosecution emanating from that past relationship ought not to be permitted to linger as a means of harassment. In the cases of ***Mala Kar vs. State of Uttarakhand, Criminal Appeal No.1684 of 2024 dated 19.03.2024 (“Mala Kar”)*** and ***Arun Jain vs. State of NCT of Delhi, Special Leave Petition (Criminal) No.9178 of 2018 dated 01.04.2024 (“Arun Jain”)***, this Court, while exercising its powers under Article 142 of the Constitution of India, quashed the criminal proceedings arising out of matrimonial discord against the husband. The Court took note of the fact that the couple therein had divorced and held that in such a situation, to continue with criminal prosecution would amount to abuse of the process of law. The reasoning adopted therein applies with equal force to the facts of the present case. Paragraph 12 of ***Mala Kar*** and the relevant paragraph in ***Arun Jain*** are extracted respectively as under:

“12. Following the aforesaid judgment, in the instant case, we have already noted that there has been a decree of divorce passed between the parties dated 18.10.2014. It is thereafter that on 06.04.2015, the FIR was registered in respect of the criminal complaint filed on 09.08.2014. More significantly, both the appellant No.2 and respondent No.2 have since remarried and are leading their independent lives. Therefore, both parties have accepted the decree of divorce passed by the Family Court on 18.10.2014. Moreover, the appellant No.2-former husband of the respondent No.2 has agreed to pay a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) as ex-gratia to the respondent No.2 herein in full and final settlement of all her claims, with a prayer to this Court to do complete justice in this matter and for invoking its powers under Article 142 of the Constitution of India.”

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“Following the aforesaid judgments, in the instant case, it is noted that the appellants and respondent No.2 were married on 01.11.1996 and a daughter was born to them on 19.04.2001. It is also stated by learned counsel for the appellants that appellant No.1 left the matrimonial home on 23.04.2007 and thereafter respondent No.2 sought divorce which was granted by the Competent Court on 04.04.2013. It was only thereafter on 31.10.2013 that respondent No.2 filed the complaint against the appellants herein and the FIR was registered on 13.02.2014 and the chargesheet was filed on 22.09.2015. It is also to be noted that the proceedings initiated under the Protection of Women from Domestic Violence Act, 2005 in the year 2008 by respondent No.2 herein culminated in the dismissal of the said proceeding on merits by order dated 28.07.2017 which has attained finality. Having regard to the aforesaid peculiar and crucial aspects of the present case and by following the order dated 19.03.2024, the appeal is liable to be allowed as we find that this is a fit case where we can exercise powers under Article 142 of the Constitution of India.”

27. This Court, in the case of ***Ramawatar vs. State of Madhya Pradesh, (2022) 13 SCC 635***, while considering quashing of proceedings under Section 482 CrPC in the context of the provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, took into consideration the fact that there had been a settlement arrived at between the parties in the said case and therefore, exercising jurisdiction under Article 142 of the Constitution of India, quashed the complaint and the FIR and the subsequent criminal proceedings against the accused therein. The relevant portion of the said judgment is at paragraph 15, which is extracted as under:

“15. The Constitution Bench decision in the case of ***Supreme Court Bar Assn. v. Union of India & Anr., (1998) 4 SCC 409*** has eloquently clarified this point as follows:

“48. The Supreme Court in exercise of its jurisdiction under Article 142 has the power to make such order as is necessary for doing complete justice “between the parties in any cause or matter pending before it”. The very nature of the power must lead the Court to set limits for itself within which to exercise those powers and ordinarily it cannot disregard a statutory provision governing a subject, except perhaps to balance the equities between the conflicting claims of the litigating parties by “ironing out the creases” in a cause or matter before it. Indeed this Court is not a court of restricted jurisdiction of only dispute-settling. It

is well recognised and established that this Court has always been a law-maker and its role travels beyond merely dispute-settling. It is a “problem solver in the nebulous areas” (see K. Veeraswami v. Union of India) but the substantive statutory provisions dealing with the subject matter of a given case cannot be altogether ignored by this Court, while making an order under Article 142. Indeed, these constitutional powers cannot, in any way, be controlled by any statutory provisions but at the same time these powers are not meant to be exercised when their exercise may come directly in conflict with what has been expressly provided for in a statute dealing expressly with the subject.”

28. We now turn to the facts at hand as already noted as under:

- (i) the complainant and the appellant’s son have been separated by a decree of divorce dated 24.08.2021, which has attained finality and has not been assailed by either side.
- (ii) Both parties are stated to be leading their independent lives.
- (iii) The inevitability of separation has thus been accepted by both sides.

In such a scenario, the continuation of criminal proceedings against the appellant (father-in-law of the respondent No.2),

which emanate solely from the erstwhile matrimonial relationship, in our view, would serve no useful purpose. In our considered view, further prosecution would only prolong bitterness and prove counterproductive to the ends of justice.

29. A three-Judge Bench of this Court in ***State of M.P. vs. Laxmi Narayan, (2019) 5 SCC 688***, observed in paragraph 15.5 thereof that while exercising power under Section 482 CrPC to quash the criminal proceedings in respect of non-compoundable offences, which are private in nature and do not have a serious impact on society, on the ground that there is a settlement/compromise between the victim and the offender, it is necessary to consider the antecedents of the accused; the conduct of the accused, namely, whether the accused was absconding and why he was absconding, how he had managed with the complainant to enter into a compromise, etc.

30. Applying the aforesaid to the present case, we find that the appellant herein would not come within the scope of the aforesaid observations by which the plea of the appellant for quashing of the FIR and consequent proceedings against him could be declined.

31. We also refer to ***Gian Singh vs. State of Punjab, (2012) 10 SCC 303*** wherein this Court observed that where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled, although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored, securing the ends of justice being the ultimate guiding factor. In this regard, a specific reference was made to offences arising out of matrimony, particularly relating to dowry, etc. or a family dispute, where the wrong is basically to the victim but the offender and the victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made compoundable. The High Court may, within the framework of its inherent power, quash the criminal proceeding or criminal complaint or FIR if it is satisfied that on the face of such settlement, there is hardly any likelihood of the offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and ends of justice shall be defeated.

32. In ***Naushey Ali vs. State of U.P., (2025) 4 SCC 78***, one of us (Viswanathan, J.) observed in paragraph 32 that proceeding with the trial, when the parties have amicably resolved the dispute, would be futile and the ends of justice require that the settlement be given effect to by quashing the proceedings. It would be a grave abuse of process particularly when the dispute is settled and resolved.

33. In the considered opinion of this Court, the power under Article 142 must be invoked to advance the cause of complete justice in matters of this nature. Once the marital relationship has ended in divorce and the parties have moved on with their lives, the continuation of criminal proceedings against family members, especially in the absence of specific and proximate allegations, serves no legitimate purpose. It only prolongs bitterness and burdens the criminal justice system with disputes that are no longer live. The law must be applied in a manner that balances the need to address genuine grievances with the equally important duty to prevent its misuse. In appropriate cases, the power to quash such proceedings is essential to uphold fairness

and bring about a quietus to personal disputes that have run their course. In this regard, we follow the abovesaid dicta.

34. Accordingly, in order to do complete justice between the parties, this Court deems it appropriate to invoke its powers under Article 142 of the Constitution of India. We, therefore, allow the appeal and set aside the order passed by the High Court dated 07.05.2024 in MCRC No.30559 of 2022 filed under Section 482 CrPC. The said petition filed under Section 482 CrPC stands allowed. Consequently, FIR No.58 of 2019 registered at Mahila Police Station, Jabalpur, dated 21.07.2019, under Sections 498A and 34 of the IPC and Sections 3 and 4 of the Dowry Act, as well as the charge sheet dated 18.08.2019 filed before the Court of the Judicial Magistrate First Class, Jabalpur against the appellant herein, are hereby quashed.

.....J.
(B. V. NAGARATHNA)

.....J.
(K.V. VISWANATHAN)

**NEW DELHI;
AUGUST 12, 2025.**