



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

**Criminal Appeal No.....of 2025
(@Special Leave Petition (Crl.) No.6653 of 2025)**

Baburam Gautam and Ors.

...Appellants

Versus

State of U.P. and Another.

...Respondents

ORDER

Leave granted.

2. The above appeal is filed against the rejection of an application under Section 482 of the Criminal Procedure Code, 1973, wherein the prayer was to quash the entire proceedings in Criminal Case No. IX of 2024 arising out of Case Crime No.177 of 2023 instituted in the Mahila Thana, District Mathura and pending in the Court of Civil Judge (J.D.)/F.T.C.(C.A.W)/Judicial Magistrate, Mathura. When the matter came up before this Court for hearing on 09.09.2025, the original two appellants and the additional 3rd appellant, impleaded by order of even date and the 2nd respondent, husband and wife, submitted before us that the matter has been settled, and certain issues have to be

thrashed out, before full compliance is reported by filing a joint application.

3. Today when the matter came up, the husband and wife were present before us. We were told that the matter has been settled and together with the terms of settlement, a joint application has been filed under Article 142 of the Constitution of India seeking dissolution of the marriage. The husband and wife (the third appellant and the second respondent) have agreed to go their independent ways on a final settlement of Rs.30,00,000/- (Rupees Thirty Lakhs) by the third appellant to the second respondent. We extract hereunder paragraph Nos.11 to 14 of the joint application and the tabulated chart of various cases pending before the various courts/authorities, instituted by the parties against each other: -

11. That the petitioner No.3 has already made a draft of Rs. 15,00,000/- (Rs. Fifteen Lakh Only) bearing no.403661 dated 12.12.2025 drawn on Punjab National Bank in favour of Kanishka Singh (wife). Further, the Demand Draft bearing No. 403556 dated 19.05.2025 for Rs.15,00,000/- (Rs. Fifteen Lakh only) drawn on Punjab National Bank in favour Kanishka Singh (wife) which was returned to the petitioner in

terms of para 9(g) of the final Settlement agreement, is revalidated as on 15.12.2025. True copy of Demand Drafts bearing No.403661 dated 12.12.2025 & No. 403556 dated 15.12.2025 each of Rs.15.00 lakhs are filed herewith and marked as Annexure-A-5 (Page 26).

12. That as per the terms of para 9(a) of the final Settlement Agreement, both the parties have agreed to live separately and mutually settle to dissolve their relationship as husband and wife by filing a joint Petition under Section 13 B of the Hindu Marriage Act before the appropriate court.

13. That vide para 9(k) of final settlement agreement, it was further agreed among the Petitioners and the Respondents that all the civil and criminal cases filed by them against each other or their family members regarding present matrimonial dispute shall be withdrawn by the parties concerned by taking appropriate steps. That the parties, in the meantime, in view of point 7 (f) of the interim settlement, have already file withdrawal/compromise applications, in the cases filed by them against each other.

A list of cases filed by the Respondent No. 2 against the Petitioners, is reproduced hereunder as:

S.No.	Case Number	Before	Pending/ Disposed
1.	<i>FIR No.177 of 2023</i>	<i>PS Mahila Thana, Mathura, Uttar Pradesh</i>	<i>Pending</i>
2.	<i>Case No.1142 of 2023</i>	<i>Ld. Principal Judge, Family Court, Mathura</i>	<i>Pending</i>
3.	<i>Case No.3779 of 2023</i>	<i>Ld. Civil Judge-6, Mathura, Uttar Pradesh</i>	<i>Pending</i>
4.	<i>Case No.36720 of 2024</i>	<i>Ld. Civil Judge-10, Mathura, Uttar Pradesh</i>	<i>Pending</i>
5.	<i>A-482/22477/ 2024</i>	<i>Before the Hon'ble High Court of Judicature at Allahabad, Allahabad</i>	<i>Pending</i>
6.	<i>528 B.N.S.S. No. – 14696 of 2025</i>	<i>Before the Hon'ble High Court of Judicature at Allahabad, Allahabad</i>	<i>Pending</i>
7.	<i>TACR/ 433/ 2024</i>	<i>Before the Hon'ble High Court of Judicature at Allahabad, Allahabad</i>	<i>Pending</i>
8.	<i>TACR/ 563/ 2024</i>	<i>Before the Hon'ble High Court of Judicature at Allahabad, Allahabad</i>	<i>Pending</i>
9.	<i>TACR/ 657/ 2024</i>	<i>Before the Hon'ble High Court of Judicature at Allahabad, Allahabad</i>	<i>Pending</i>
10.	<i>Complaint to the Department of petitioner no.3 vide letter dated 29.02.2024</i>	<i>Executive Engineer (Division) EUDD-1 Bareilly</i>	<i>Pending</i>

A list of cases filed by the Petitioners against the Respondent, is reproduced hereunder as:

S.No.	Case Number	Before	Pending/ Disposed
1.	Case No.895/2024 "Vishal Gautam Vs Kanishka Singh and Others" U/s 380/323 /504/506 IPC PS Kotwali Bareilly	Court – ACJ (JD) 3 rd Bareilly	Pending
2.	Case No.8660/2024 Vishal Gautam vs. Kanishka Singh and Others U/s 506 IPC & 3 DP Act	Court – ACJ (JD) 3 rd Bareilly	Pending
3.	Case No.179/2025 Vishal Gautam Vs. Kanishka Singh, U/S. 379 BNSS, PS Sadar, Mathura	Court of Additional Principal Judge, Family Court, Mathura	Pending
4.	Case No. 10101/2025 "Vishal Gautam Vs. Kanishka Singh, U/S. 379 BNSS, PS Sadar, Mathura	Court of Civil Judge Junior Division 6, Mathura	Pending
5.	FIR No.347/2025, Thana Madiyaon, District Lucknow		FR
6.	Case No. 3037/2024 Baburam Vs. Charan Singh & Others U/S- 504, 506 IPC PS – Roza	ACJM-1 st Shahjahanpur (U.P.)	Pending
7.	Miscellaneous Case No. 82/2025 Baburam Vs Pushpa Singh & Others. U/s 379 BNS, P.S. Roza	ASJ-5 Shahjahanpur	Pending
8.	Case No.72/2025 Baburam Vs Charan Singh and Others, P.S. Roza	Court No.31, A.C.J (J.D.), Shahjahanpur	Pending
9.	Case No.202/25 U/S 35 Advocates Act, 1961 Bar	Bar Council of Uttar Pradesh	Pending

	<i>Council of Uttar Pradesh Vishal Gautam vs. Subhash Kumar</i>		
<i>10.</i>	<i>Case No.1948/2023 "Vishal Gautam Vs. Kanishka Singh" u/s 09 of Hindu Marriage Act</i>	<i>Court of Principal Judge, Family Court, Bareilly.</i>	<i>Disposed</i>

14. The parties herein undertake to remove all photo/video relating to each other and their family members from all social media platforms and also undertake not to upload any photo/video of each other or each other's family member on any social media portal in future.

4. It is submitted that the demand drafts as above have already been handed over to the second respondent's counsel, which are to be encashed. In addition, the parties have agreed that the cases mentioned in the table above will not be proceeded with. It is also agreed that all photos/videos relating to each other and their family members uploaded on the social media would be deleted and it is undertaken by both the parties that they shall not upload any such photo/videos touching upon the strained relationship on any website.

5. The undertaking by each of the parties is recorded. It is directed that the cases/proceedings indicated in the table

hereinabove shall be closed on the certified copy of this order being produced before the concerned court/authority. Considering the fact that the marriage has irretrievably broken down, we invoke the power under Article 142 of the Constitution of India to dissolve the marriage between the third appellant and the second respondent under Section 13B of the Hindu Marriage Act, 1955. The Registry shall draw up a decree for issuance to the parties.

6. The appeal stands allowed with the above directions and the decree of dissolution of marriage.

7. Pending applications, if any, shall also stand disposed of.

..... J.
(AHSANUDDIN AMANULLAH)

..... J.
(K. VINOD CHANDRAN)

NEW DELHI
DECEMBER 18, 2025.