

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

**CRIMINAL APPEAL NO \_\_\_\_\_ OF 2026**

(Arising out of Special Leave Petition (Criminal) No.17508 of 2025)

**RAHUL SHUKLA**

**...APPELLANT**

**VERSUS**

**U.T. CHANDIGARH & ANR.**

**...RESPONDENTS**

**ORDER**

Leave granted.

2. The present appeal arises out of the judgment and final order dated 18.08.2025 passed by the High Court of Punjab and Haryana at Chandigarh in CRM-M No. 60388 of 2024 whereby the High Court partly allowed the petition preferred under Section 482 Cr.P.C. and quashed FIR No. 47 dated 23.04.2022 registered under Sections 406 and 498-A IPC at Women Police Station, Sector-17, Chandigarh only qua the co-accused family members of the appellant, but declined to quash the proceedings

with respect to the present appellant.

3. The appellant Rahul Shukla, an Australian citizen, was married to Neha Chalana, daughter of respondent No.2 – Ravinder Singh, on 13.04.2018 at Chandigarh. After the marriage, the appellant returned to Australia on 26.04.2018, whereas Neha Chalana resumed her employment at Doha, Qatar. Subsequently, on 17.05.2018, she joined the appellant in Sydney, Australia, where the parties resided together.

4. Certain matrimonial disputes arose between the parties during their stay in Australia, as such, proceedings relating to domestic violence were initiated before the competent court at that place. Ultimately, the Federal Circuit Court of Australia, vide decree dated 12.09.2019, dissolved the marriage on the ground that the same had irretrievably broken down. The decree of divorce was admittedly accepted by both parties.

5. It is also not in dispute that after dissolution of the marriage, both parties moved on with their independent lives. The status report placed before the High Court itself records that Neha Chalana remarried on 09.11.2020 and has since settled abroad.

6. Nearly three years after passing of the decree of divorce, respondent No.2, who is the father of the former wife (Neha), lodged FIR No. 47 dated 23.04.2022 under Sections 406 and 498-A IPC at Women

Police Station, Sector-17, Chandigarh against the appellant and his family members alleging cruelty and dowry-related harassment.

7. The appellant along with the co-accused family members approached the High Court seeking quashing of the aforesaid FIR and all consequential proceedings arising therefrom.

8. The High Court, after considering the material on record, quashed the FIR qua petitioner Nos.2 to 4 therein, namely the mother and sisters of the appellant, observing that the allegations against them were vague and omnibus in nature and continuation of proceedings against them would amount to abuse of process of law.

9. However, insofar as the present appellant is concerned, the High Court declined to exercise jurisdiction under Section 482 Cr.P.C. solely on the ground that despite having been granted anticipatory bail vide order dated 23.12.2024, the appellant had travelled to Australia in January, 2025 without obtaining prior permission from the Court concerned.

10. The relevant observations of the High Court read as under:

*“Petitioner No.1 Rahul Shukla went to Australia in January, 2025 and that too without taking permission from the Court concerned. Therefore, petitioner No.1 has misused the concession of anticipatory bail granted in his favour. In light of aforesaid factual position, I do not deem it fit to*

*quash the aforesaid FIR registered against him and petition qua petitioner No.1 Rahul Shukla is accordingly dismissed.”*

11. Having heard learned counsel appearing for the parties and upon perusal of the material placed on record, we are of the considered view that the approach adopted by the High Court insofar as the present appellant is concerned, is unsustainable in law.

12. The undisputed factual position emerging from the record is that the matrimonial disputes between the appellant and Neha Chalana arose during their stay in Australia, after the marriage was solemnized on 13.04.2018. Admittedly, after May 2018, the parties continued to reside abroad and the alleged incidents forming subject matter of the FIR are stated to have taken place in Australia.

13. It is also undisputed that the marriage between the parties stood dissolved by a decree dated 12.09.2019 passed by the Federal Circuit Court of Australia and the said decree has attained finality. The former wife has also remarried and settled abroad.

14. Despite the aforesaid admitted position, the FIR in question came to be lodged only on 23.04.2022 by the father of the former wife after considerable delay and long after the parties had severed their matrimonial ties and moved on with their respective lives.

15. Significantly, the High Court itself recorded findings that the allegations against the family members of the appellant were vague and unsustainable and that continuation of criminal proceedings against them would amount to misuse of the process of law. Once such findings had been returned on the same factual foundation, there was no justifiable reason to deny similar relief to the present appellant solely on account of his travelling abroad.

16. The reason assigned by the High Court, namely that the appellant had travelled to Australia without obtaining prior permission from the Court, could at best constitute an issue relating to compliance of bail conditions, which were not contrary to his action. The same, by itself, could not furnish a valid ground to continue criminal proceedings which otherwise, in the peculiar facts and circumstances of the present case, ex facie not only appear to be not maintainable but also manifestly afflicted with mala fides.

17. The appellant is admittedly an Australian citizen residing and employed in Australia. There is nothing on record to indicate that he intended to evade the process of law permanently.

18. It is also relevant to note that the complainant herein is not the former wife herself, but her father. There is no material on record to

suggest that the former wife was either incapacitated or prevented from availing remedies available to her in law, if so advised.

19. In the totality of the circumstances, particularly having regard to the fact that the marriage stood dissolved in the year 2019; that both parties accepted the decree of divorce and moved on in their respective lives; that the former wife remarried in the year 2020; and that the FIR came to be lodged thereafter by the father of the former wife after considerable delay, we are satisfied that continuation of the criminal prosecution against the appellant would amount to abuse of the process of law and would not serve the ends of justice.

20. Consequently, the impugned judgment and order dated 18.08.2025 passed by the High Court of Punjab and Haryana at Chandigarh in CRM-M No. 60388 of 2024, insofar as it declines relief to the appellant Rahul Shukla, is set aside.

21. FIR No. 47 dated 23.04.2022 registered under Sections 406 and 498-A IPC at Women Police Station, Sector-17, Chandigarh and all consequential proceedings arising therefrom qua the appellant Rahul Shukla stand quashed.

22. The appeal is accordingly allowed.

23. Pending application(s), if any, shall stand disposed of.

.....J.  
(SANJAY KAROL)

.....J.  
(NONGMEIKAPAM KOTISWAR SINGH)

April 15, 2026  
New Delhi

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s).17508/2025

[Arising out of impugned final judgment and order dated 18-08-2025 in CRM-M No.60388/2024 passed by the High Court of Punjab & Haryana at Chandigarh]

RAHUL SHUKLA

PETITIONER(S)

VERSUS

U.T. CHANDIGARH &amp; ANR.

RESPONDENT(S)

Date : 15-04-2026 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KAROL

HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) : Mr. Anshuman Singh, AOR  
Mr. Suvir Sidhu, Adv.  
Mr. Gursher Singh Dhillon, Adv.  
Ms. Raakhi Vats, Adv.

For Respondent(s) :  
Mr. Krishna Kant Dubey, Adv.  
Mr. Bhuvan Kapoor, Adv.  
Mr. Yogesh Vats, Adv.  
Mr. Varun Chugh, Adv.  
Mr. Santosh Ramdurg, Adv.  
Mr. Shreekant Neelappa Terdal, AOR

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

1. Leave granted.
2. The appeal is allowed in terms of the signed order, which is placed on the file.
3. Pending application(s), if any, shall stand disposed of.

(D. NAVEEN)  
COURT MASTER (SH)

(ANU BHALLA)  
COURT MASTER (NSH)