

IN THE SUPREME COURT OF INDIA
CIVIL/CRIMINAL ORIGINAL JURISDICTION

MISCELLANEOUS APPLICATION NO. 2214 OF 2024

IN

TRANSFER PETITION (C) NO. 1713 OF 2023

WITH

TRANSFER PETITION (CRL.) NO. 860 OF 2023

AND

TRANSFER PETITION (C) NO. 2732 OF 2023

SAHIL KAUSHIK

Applicant

VERSUS

SHELPAN LOHIA @ SHELPAN KAUSHIK

Respondent(s)

O R D E R

1. By way of present miscellaneous application, the applicant is seeking to quash Case No. 128 of 2023 titled as "State of H.P. Vs. Sahil Kaushik & Ors.".

2. It is submitted that when the order was passed by this court on 14.10.2024 in I.A. No. 219205 of 2024, the petitioner inadvertently did

not mention FIR No. 3 of 2023 for the offence punishable under Sections 498A, 323 and 34 of the Indian Penal Code and as such, it could not be mentioned in the order.

3. This application is vehemently opposed by the learned counsel appearing for the wife. He submits that there are serious allegation(s) made against the applicant and, therefore, this Court should not quash and set aside the said proceeding.

4. The very purpose of the order dated 14.10.2024 was to give an end to all disputes between the parties, as it was found that the relationship between them is irretrievably broken.

5. The Court had also quashed certain proceedings which were mentioned in the application, however, on account of the lawyer's mistake, the proceedings being Case No. 128 of 2023 could not be mentioned in the said order.

6. The parties should not be made to suffer due to the lapses of the lawyer.

7. In that view of the matter, we are inclined to allow this miscellaneous application in terms of prayer clause (i).

.....J
(B.R. GAVAI)

.....J
(AUGUSTINE GEORGE MASIH)

New Delhi
January 07, 2025

ITEM NO.1

COURT NO.2

SECTION IV-B

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

Miscellaneous Application No. 2214/2024 in T.P.(C) No. 1713/2023

[Arising out of impugned final judgment and order dated 14-10-2024 in T.P.(C) No. 1713/2023 passed by the Supreme Court of India]

SAHIL KAUSHIK

Petitioner(s)

VERSUS

SHELPAN LOHIA @ SHELPAN KAUSHIK

Respondent(s)

(IA No. 240859/2024 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 07-01-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI

HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s)

Mr. Gaurav Jain , AOR

Mr. Arvind Kumar Sharma, Sr. Adv.

For Respondent(s)

Mr. Pradeep Chandel, Adv.

Ms. Manju Jetley, AOR

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

The miscellaneous application is allowed in terms of the signed order.

(DEEPAK SINGH)

ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)

COURT MASTER (NSH)

[Signed order is placed on the file]