

ITEM NO.17

COURT NO.10

SECTION II-C

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).6005/2019

(Arising out of impugned final judgment and order dated 11-04-2019 in CRLRP No. 994/2018 passed by the High Court of Delhi at New Delhi)

SHOME NIKHIL DANANI

Petitioner(s)

VERSUS

TANYA BANON DANANI

Respondent(s)

(WITH I.R.)

Date : 22-07-2019 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MS. JUSTICE INDIRA BANERJEE

For Petitioner(s) Ms. Geeta Luthra, Sr. Adv.
Mr. Sajay Abbat, Adv.
Mr. Gaurav Kejriwal, AOR
Mr. Ankit Agarwal, Adv.

For Respondent(s) Ms. Vibha Datta Makhija, Sr. Adv.
Mr. Madhao Khurana, Adv.
Ms. Sakshi Kakkar, AOR
Ms. Trisha, Adv.
Praveen Gaur, Adv.
Mr. Shakti Singh, Adv.

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

Having heard Ms Geeta Luthra, learned senior counsel for the petitioner and Ms Vibha Datta Makhija, learned senior counsel for the respondent, we are of the view that the High Court of Delhi was justified in coming to the conclusion that the mere passing of an order under Section 125 of the Code of Criminal Procedure 1973 did

not preclude the respondent from seeking appropriate reliefs under the Protection of Women from Domestic Violence Act 2005. Hence, we decline to entertain the special leave petition under Article 136 of the Constitution. The special leave petition is accordingly dismissed.

However, we only clarify that any observations made by the High Court on the merits of the claim of the respondent under Section 23 shall not come in the way of the appropriate court taking a view on the merits of the matter.

(SANJAY KUMAR-I)
AR-CUM-PS

(SAROJ KUMARI GAUR)
COURT MASTER