



2026:DHC:1023



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 07.02.2026

+ **CRL.M.C. 412/2026**

ROHIT LAMBA & ANR.

.....Petitioners

Through: Mr. Brahm Kumar Pandey, Advocate

with petitioners in person.

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Amit Ahlawat, APP for State and
Ms. Shehnaz Khan, Advocate with SI
Rahul Ranjan, PS Harsh Vihar.

Ms. Priyanka Rani, Advocate for R-2
with R-2 in person.

CORAM: JUSTICE GIRISH KATHPALIA

JUDGMENT (ORAL)

1. The petitioners seek quashing of FIR No. 173/2023 of PS Harsh Vihar for offence under Section 498A/406/34/494 IPC and Section 3/4 of Dowry Prohibition Act and proceedings arising out of the same on the ground that the complainant *de facto* has compromised the disputes with them. Petitioner no.1 is the husband of complainant *de facto* and petitioner no.2 is mother-in-law of complainant *de facto*. The complainant *de facto* has been impleaded as respondent no.2.

2. Learned APP for State assisted by Investigating Officer/SI Rahul



Ranjan accepts notice.

3. Respondent no.2 identified by the Investigating Officer and accompanied with her counsel accepts notice.

4. In view of nature of this case, I spoke with both sides in Hindi to ascertain the truth. The truth that came out is extremely shocking. The petitioners have apparently played fraud with different authorities.

5. According to the impugned FIR, petitioner no.1 came in contact with respondent no.2 through social media as he approached her with proposal to get married; and petitioner no.1 got married with respondent no.2 and got their marriage registered with the Marriage Registration Officer on 13.10.2020. Further according to the impugned FIR, in August 2021 while applying for some government scheme, when the respondent no.2 used the Aadhar Card of petitioner no.1, it was revealed that petitioner no.1 had already got married earlier with one Ms. Deepa, with whom he has two children. Besides, in her FIR, respondent no.2 also raised different allegations pertaining to the offence under Section 498A/406 IPC.

6. In the course of hearing today, it came out that despite the marriage between petitioner no.1 and respondent no.2 being a void act (*because petitioner no.1 was already married*), the marriage between petitioner no.1 and respondent no.2 was also got dissolved by way of decree of divorce dated 30.08.2025 with mutual consent. It appeared as if the learned Family



Court was misled into passing the divorce decree. So, I requested both sides to show me a copy of the petition under Section 13B(1) of the Hindu Marriage Act on the basis whereof divorce decree (*Annexure P4*) was obtained. On this, counsel for petitioners stated that since the divorce petition was filed by some other counsel, he does not have copy of the same. However, learned counsel for respondent no.2 produced before me a copy of the said petition. In the said petition, marital status of petitioner no.1 has been pleaded as bachelor.

7. Further, I spoke with respondent no.2 and she stated that even she was not aware about marital status of petitioner no.1 earlier. But there is no explanation as to why respondent no.2 also signed the divorce petition which described marital status of petitioner no.1 as bachelor. Counsel for respondent no.2 appearing today, was counsel for the present respondent no.2 before the Family Court as well. Even counsel for respondent no.2 did not disclose before the Family Court about the falsehood in the divorce petition.

8. As regards counsel for petitioners, as mentioned above, learned counsel Mr. Brahm Kumar Pandey stated that the divorce petition with false pleadings was filed by some other counsel, and he does not know who filed the same. The said divorce petition, as shown by counsel for respondent no.2 had been filed by counsel for both parties to that petition. As mentioned above, counsel for wife in the said petition was the same counsel who appears today and counsel for husband was one Mr. Mohd. Zahid. The



address of Mr. Brahm Kumar Pandey, Advocate and Mr. Mohd. Zahid, Advocate is same, which is G-306, Karkardooma Courts, Delhi. Further, at this stage, I have noticed that even *vakalatnama* filed in the present case on behalf of petitioners is of Mr. Brahm Kumar Pandey, Advocate as well as Mr. Zahid, Advocate.

9. In nutshell, it appears that petitioner no.1 and respondent no.2 played fraud with the Family Court no.1, District Shahdara, Karkadooma Courts, Delhi by falsely declaring the marital status of petitioner no.1 as bachelor. In this exercise, counsel for both parties were apparently involved, as despite their knowledge of previous marriage of petitioner no.1, they presented false pleadings. Further, the petitioner no.1 also cheated the Office of Registrar of Marriages by falsely disclosing his marital status as bachelor, which led to issuance of marriage registration certificate to the petitioner no.1 and respondent no.2. One cannot lose sight of the fact that Ms. Deepa, wife of petitioner no.1, their two children and one child born from relations between the petitioner no.1 and respondent no.2 are sufferers for no fault of theirs.

10. In view of above circumstances, the petition is dismissed with exemplary costs of Rs. 1,00,000/- to be deposited within one week by petitioners online with www.bharatkeveer.gov.in, as well as with further following directions:

(i) the local police of PS Harsh Vihar shall immediately take appropriate legal action as regards the aforesaid and shall file a report with the Registry



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of this Court within three days; and for compliance, copy of this order be sent to the concerned ACP forthwith;

- (ii) the copy of this judgment be immediately sent to the learned Judge, Family Court-01, District Shahdara, Karkardooma Courts, Delhi for appropriate orders as regards the decree of divorce dated 30.08.2025 obtained by petitioner no.1 and respondent no.2 in HMA 1588/2025;
- (iii) the copy of this judgment be immediately sent to the Marriage Registration Office from where Marriage Registration Certificate was procured by petitioner no.1 and respondent no.2; and
- (iv) the copy of this judgment be also sent to the Bar Council of Delhi for appropriate proceedings in accordance with law.

**GIRISH KATHPALIA
(JUDGE)**

FEBRUARY 07, 2026/dr