

Amarjit Singh Vs. State

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SooperKanoon Citation : sooperkanoon.com/700575

Court : Delhi

Decided On : May-13-1993

Reported in : II(1993)DMC567

Judge : Sat Pal, J.

Acts : [Code of Criminal Procedure \(CrPC\) , 1973](#) - Sections 482

Appeal No. : Cr. M. (M) 2608 of 1992 and Cr. M. 2315 of 1992

Appellant : Amarjit Singh

Respondent : State

Advocate for Def. : A.K. Singh, Adv. for the Respondent No. 1

Advocate for Pet/Ap. : Jagdish Singh, Adv

Judgement :

Sat Pal, J.

1. The case has been called out second time after a pass over but none is present on behalf of respondent No, 2. Even on 30th April, 1993 none appeared on behalf of respondent No. 2 despite service and the case was adjourned to 11th May, 1993. On 11th May, 1993 again none appeared on behalf of respondent No. 2 and the case was again adjourned for today.

2. Learned Counsel for the petitioner has drawn my attention to the statement of respondent No. 2 recorded on 11-1-1989 before Ms. Sharda Aggarwal, Additional District Judge, Delhi and it has been stated therein that the petitioner and respondent No. 2 have agreed that they would withdraw pending litigation against each other. He has also drawn my attention to an affidavit duly signed and sworn by respondent No. 2 on 31-5-1988, which is at page 26 of the paper book and in this affidavit it has been stated that a compromise has been struck between the parties. Learned Counsel has further submitted that pursuant to the agreement between the parties a decree of dissolution of marriage has already been passed on 11th January, 1988 by Ms. Sharda Aggarwal, Additional District Judge, Delhi, in HMA case No. 611/88. After hearing the learned Counsel for the parties, I am of the view that no purpose will be served in continuing the proceedings pending in the Court of Ms. Rekha Rani, Metropolitan Magistrate, Delhi, pursuant to FIR No. 614/87, under Sections 498-A/406 IPC registered at Police Station Tilak Nagar, Delhi.

3. Accordingly, the aforesaid proceedings are quashed. With this order the petition stands disposed of. A copy of this order be sent to the Court concerned.