

Court No. - 44

Case :- APPLICATION U/S 482 No. - 15383 of 2010

Applicant :- Rajesh Jadaun And Others

Opposite Party :- State Of U.P. & Another

Counsel for Applicant :- Akank Jain

Counsel for Opposite Party :- Govt. Advocate

Hon'ble Karuna Nand Bajpayee,J.

This application under Section 482 Cr.P.C. has been filed seeking the quashing of Complaint Case No.799 of 2009 (Smt. Poonam vs. Rajesh Jadaun and others) u/s-12 of the Protection of Women from Domestic Violence Act, 2005, Police Station-Nauchandi, District-Meerut, pending in the court of Judicial Magistrate-1st, Meerut.

List has been revised. Despite repeated calls none has appeared to press this application. Learned A.G.A. is present. This application is of year 2010. In the wake of heavy pendency of cases in this Court where dockets are already bursting on their seams there is no justifiable reason to further procrastinate the matter. This Court, therefore, deems it fit to proceed in the matter on the basis of the record and with the assistance of the learned AGA representing the State.

It seems that in order to explore the possibility of an amicable settlement between the parties, the matter was referred to undergo mediation proceedings on 4.5.2010. The report of Registrar reveals that the aforesaid attempt could not succeed and did not bear any fruit because of non deposition of requisite amount as was directed by the Court.

It appears that a complaint was brought by Smt. Poonam u/s 12 of the Protection of Women from Domestic Violence Act, 2005 with

the allegations to the effect that she was married in year 2003 but the husband side was not satisfied with the gifts given. An additional demand of Rs.5 lacs was pressed forth. She was tortured physically and mentally both. Several other details of ill-treatment have been enumerated in the complaint and the husband is said to be a drunkard who often beat her physically with his belt and used to give her electric shocks. Illicit relations with some other women have been alleged and it has been said that an attempt to strangle her was also made. Her *stridhan* was misappropriated. By way of filing the complaint several reliefs were sought by the complainant.

Perusal of the grounds taken in the present application reveal that the allegations made by the complainant against the applicants have been denied. It is apparent from the perusal of the grounds that most of them relate to disputed questions of fact which can be adequately gone into only by the court below seized with the matter. All the objections, legal and factual, can be adequately raised and adjudicated upon by the court below. This Court does not see any justification to exercise its inherent jurisdiction and make interference in the impugned proceedings as there is no abuse of court's process perceptible in the impugned proceedings.

The application is sans merit and therefore stands dismissed.

Order Date :- 11.11.2014

M. Kumar