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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.M.C. 3137/2010

EKTA VIG Petitioner
Through: Mr. K.C. Dua, Advocate

versus

BRIJ MOHAN VIG Respondent
Through:

CORAM:
JUSTICE SHIV NARAYAN DHINGRA

% **ORDER**
30.09.2010

The complainant made a complaint against the petitioner and many other relatives but the learned trial court has taken cognizance against the present petitioner as the alleged defamatory letters were written by the petitioner alone.

I consider that no grudge can be made on the ground that the complainant has made other relatives of the petitioner as respondent. The petition on the ground is not maintainable.

As far as taking cognizance of offence under Sections 499, 500 IPC against petitioner is concerned, I consider that it was within the discretion of the court below to form a prima facie view whether in view of contents of the letter to president of the association, a prima facie cause was made out or not. This Court need not substitute its own opinion in place of opinion of the trial court under Section 482 Cr.P.C.

At this stage, the counsel for the petitioner seeks to withdraw the present petition.

The petition is hereby dismissed as withdrawn.


SHIV NARAYAN DHINGRA, J

SEPTEMBER 30, 2010
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