

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

Date of Decision: January 14, 2015

+ CRL.M.C. 210/2013

SATISH SHARMA

..... Petitioner

Through: Ms. Mayuri Raghuvanshi,
Advocate

versus

VED PRAKASH & ORS.

..... Respondents

Through: Ms. Deepakshi Jain, Advocate

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

JUDGMENT
(ORAL)

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Petitioner is aggrieved by order of 16th March, 2012 vide which his revision petition seeking quashing of order of 15th February, 2011 has been dismissed. Petitioner is the purported mediator of marriage of respondent- *Om Prakash* with one –*Neetu (proforma respondent)*.

Learned counsel for respondent informs that matter is now coming up before the trial court for hearing on the point of charge.

Since petitioner has an alternate and efficacious remedy to seek discharge from trial court by urging the pleas taken herein, therefore, this Court is not inclined to exercise its inherent jurisdiction under Section 482 of Cr.P.C.

Such a course is being adopted in view of dictum of Apex Court in

Padal Venkata Rama Reddy Alias Ramu v. Kovvuri Satyanarayana Reddy & Ors. (2011) 12 SCC 437, which is as under: -

"It is well settled that the inherent powers under Section 482 can be exercised only when no other remedy is available to the litigant and not in a situation where a specific remedy is provided by the statute. It cannot be used if it is inconsistent with specific provisions provided under the Code (vide Kavita v. State and B.S.Joshi v. State of Haryana). If an effective alternative remedy is available, the High Court will not exercise its powers under this section, specifically when the applicant may not have availed of that remedy."

Applying the afore-noted dictum of the Apex Court in *Padal Venkata Rama Reddy (supra)* to the instant case, this petition and applications are disposed of with liberty to petitioner to urge the pleas taken herein before the trial court at the stage of hearing on the point of charge and if it is so done, then trial court shall deal with the pleas raised herein by passing a speaking and reasoned order.

With aforesaid observations, this petition and applications are disposed of.

**(SUNIL GAUR)
JUDGE**

JANUARY 14, 2015

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