

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

Date of Decision: January 14, 2015

+ CRL.M.C. 2805/2014
MOBIN KHAN Petitioner
Through: Mr. Sanjay Kumar, Advocate

versus

MS MOBINA KHAN Respondent
Through: Mr. Mohammad Farza, Advocate

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

% **JUDGMENT**
(ORAL)

In proceedings under *Domestic Violence Act, 2005*, petitioner's application for summoning SHO PS Dabri and Investigating Officer of a criminal case i.e. SHO PS Roop Nagar District Anoopshahar, District Bulandshahar, Uttar Pradesh as witnesses to prove the Inquiry Report of 5th December, 2012 stands dismissed by both the courts below.

At the hearing, learned counsel for petitioner had submitted that from aforesaid Inquiry Report of 5th December, 2012 it is established that no incident of alleged beating of respondent-complainant had taken place on 6th April, 2008 and it is submitted on behalf of petitioner that summoning of these two witnesses is essential for just decision of this case.

Upon hearing, and on perusal of the impugned orders and material

on record, I find that both the courts below have rightly opined that proving of the aforesaid documents does not have any bearing on the instant case under *Domestic Violence Act, 2005*.

In the considered opinion of this Court, the impugned orders do not suffer from any illegality or perversity. There is no substance in this petition. This petition is accordingly dismissed.

(SUNIL GAUR)
JUDGE

JANUARY 14, 2015

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