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

Date of Decision: 8th May, 2015

+ CRL.REV.P. 447/2009

ALOK KUMAR

..... Petitioner

Through: Mr. Ajay Burman, Advocate

versus

STATE

..... Respondent

Through: Mr. O.P. Saxena, APP along with SI
Paramjit Singh, PS Connaught Place

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA

J U D G M E N T

: SUNITA GUPTA, J.

1. The present petition has been filed by the petitioner under Section 397/401 read with Section 482 of the Code of Criminal Procedure, 1973 for setting aside the order on charge dated 06.08.2009 and charge framed on the same date by the learned Additional Sessions Judge u/s 376/420 IPC in case FIR No.63/08 registered with Police Station Connaught Place.

2. Prosecution case in nut shell is that the complainant is a divorcee who got divorce in the year 2004 and is having a 12 years old child. She met the petitioner in the year 2002 and they started meeting quite often in Delhi. In the month of March, 2003, the complainant went to Germany where the petitioner had come to meet her and they spent time together. Thereafter they met several times in Delhi and became close to each other. In July, 2003, the complainant came to know from the mother of the petitioner that

the petitioner is already married and when the complainant confronted the petitioner, he told her that his marriage lasted for two months and that his divorce case is pending. In the month of September, 2004, he invited the complainant to visit him in London and arranged for her to and fro ticket and also gave her some money for her personal use in London. During their stay in London the complainant and the petitioner became intimate with each other and also had physical relations but only after the petitioner promised and assured her that he would marry her after his divorce from his first wife from whom he had a son. Thereafter they kept on having intimate relationship and had a live-in relationship. It is further alleged that on 18th October, 2007, when the petitioner was returning back to London from Delhi, the complainant went to the IGI Airport at around 11:00-11:30 AM and found the petitioner holding the hands of a lady whose name she came to know later as Amrita Das. The petitioner misbehaved and physically assaulted the complainant for which she got an FIR registered u/s 354/506 IPC at Police Station IGI Airport. Ultimately, the petitioner did not marry the complainant and got married to the lady who was with him at the Airport. Hence this case was got registered.

3. On behalf of the petitioner, Sh. Ajay Burman, Advocate assailed the framing of the charge against the petitioner on the ground that the registration of the instant FIR is a gross misuse of process of Court, inasmuch as, in the first FIR registered against the petitioner u/s 354/506 IPC dated 18th October, 2007, all the allegations pertaining to Section 376 were there. Therefore, there was no occasion for the police to register the second FIR on the same facts on 15th February, 2008. In fact the second FIR is nothing but explanatory to the first FIR. This complaint could at best be

supplementary statement of the complainant and if according to the Investigating Officer of the case, case u/s 376 IPC was required to be registered, the said Section could have been added in the first FIR itself but on the same facts two FIRs could not have been registered. For raising this submission, reliance was placed on *T.T. Antony vs. State of Kerala*, 2001 (2) JCC (SC) 282.

4. It is further submitted that the first FIR was quashed by this Court vide order dated 9th August, 2010 wherein the facts of the present case were also considered. That being so, after the quashing of the first FIR, this FIR does not survive and is liable to be quashed. The Court in exercise of its power u/s 428 Cr.P.C. has the power to quash the FIR while quashing the order on charge. It is further submitted that the averments made in the FIR itself reflects that the parties were known to each other for a substantial period and were having live-in relationship. There cannot be misconception of fact that the petitioner had physical relation with the complainant on the promise of marriage, inasmuch as, both the parties were already married having children. As per the allegations, the parties were known to each other since the year 2002. The divorce of complainant took place in the year 2004 only whereas the petitioner was also married and his divorce had not taken place. That being so, it cannot be said that there was any promise of marriage in order to bring the case within the meaning of misconception of facts. Reliance was placed on the following judgments for submitting that present is a glaring case of abuse of process of law and while setting aside the order on charge, the FIR itself be quashed:-

(i) *Prashant Bharti vs. State of NCT of Delhi*, (2013) 9 SCC 292

- (ii) ***Deepak Gulati vs. State of Haryana***, (2013) 7 SCC 675
- (iii) ***Uday vs. State of Karnataka***, AIR 2003 SC 1639
- (iv) ***Harish Kumar vs. State of NCT of Delhi***, CrI. M.C. No. 3877/2009 (Delhi High Court)
- (v) ***Sunil Vishnu Salve vs. State of Maharashtra***, 2006 (3) Crime 49 (Bombay High Court)
- (vi) ***Sekhar vs. State***, 1995 (3) Crimes 840 (Madras High Court)
- (vii) ***Sarimoni Mahate vs. Amulya Mahato & Anr.***, (2002) Cri.LJ 3271 Jharkhand High Court.
- (viii) ***Jayanti Rani Panda vs. State of West Bengal***, 1984 Cri. LJ 1535
- (ix) ***Dilip vs. State of Maharashtra***, CrI.WP 179/2008 (Aurangabad Bench of Bombay High Court)
- (x) ***Manjit Singh Gyan Singh vs. State of Gujarat***, CrI.Rev.P. 375/2014 (Gujarat High Court)
- (xi) ***Alok Kumar vs. State & Anr.***, CrI.M.C.No.299/2009 decided by Justice Shiv Narayan Dhingra.

5. Learned Additional Public prosecutor for the state, on the other hand, submitted that in the first FIR, there was no allegation of commission of rape. There was no bar to registration of FIR u/s 376 IPC in view of the allegations contained in the second complaint. Moreover, at the time of framing of charge only a prima facie view was required to be taken and that being so, the charge was rightly framed. The prosecution evidence is still going on. As such, at this stage, there is no ground for setting aside the impugned order or quashing the FIR.

6. Record reveals that initially the complainant through her counsel

appeared, however, for the last number of hearings, neither the complainant nor her counsel appeared to address arguments.

7. I have given my considerable thoughts to the respective submissions of learned counsels for parties and have perused the record.

8. Initially, the complainant lodged FIR No. 426/2007 on 18.10.2007 at Police Station IGI Airport inter alia on the allegations that she was in a 'live-in relationship' with the petitioner for more than 5 years and was involved with him physically, emotionally and mentally. The petitioner had promised to marry her as soon as possible but few days back she came to know that petitioner was getting married to someone else, so she came to IGI Airport to remind his promises and refresh memories. Petitioner promised her to solve the matter and took her to the visitors' lounge where he started arguing with her. In the meantime, he went to washroom and gave his passport to her to keep in safe custody. While coming from toilet he was bit angry and pushed her out from visitors' lounge abused and threatened to kill her. She was trying to make him calm but he suddenly became violent and started hitting her. He pulled her breast and punched on her head, face and neck. Many people came to her rescue but he punched on her breast and ran away. He got a cab and went out of scene but while running he forgot his passport with her. On the basis of these allegations, FIR under Section 354/506 IPC was registered.

9. Subsequently, on 15.02.2008, she got the present FIR under Section 376 IPC registered with Police Station Connaught Place.

10. Petitioner filed CrI.M.C.No.299/2009 for quashing FIR No.426/2007,

Police Station IGI Airport under Section 354/506 IPC.

11. A perusal of the order dated 9th August, 2010, passed by a Single Judge of this Court while quashing the first FIR 426/2007 registered with Police Station IGI Airport goes to show that the Court had considered the lodging of the second FIR u/s 376 IPC and reproduced the allegations made in this FIR. The Court also considered the order passed by this Court while granting anticipatory bail to the petitioner in this case by making following observations:-

“7. The facts of the case as narrated in two FIRs show that there was admittedly a live-in relationship between the Petitioner and the complainant for more than five years. The petitioner found that he could not go ahead with the marriage although at one point of time the parties had proposed to marry each other. The circumstances narrated preclude an automatic inference on absence of that consent of that complainant. Such conclusion would have to be preceded by a careful examination of events that transpired during the five years when the live-in relationship subsisted and during which according to the complainant she underwent an abortion as well. Prima facie it appears to this Court, on the basis of existing averments in the FIR that it would be unsafe to infer an absence of consent of the complainant; which is an essential ingredient of the offence of rape. The Court is also unable to discern parity of the facts in Yedla Srinivasa Rao v. State of Andhra Pradesh and the instant case. There the prosecutrix was between 15 years and 17 years living in a village and right from the beginning she refused to participate in the act but the accused kept on persisting and persuading her. The fact that the police took four months to register the second FIR is also a pointer to the difficulty in early inferring the offence of rape in these circumstances.”

12. The FIR No. 426/2007 registered with PS IGI Airport was quashed by observing as under:-

“4. The petitioner's contention is that on 18th October, 2007 he had come to IGI Airport as he was a solicitor in London and was returning back to London. He had not denied about live-in relationship with the complainant but had stated that his parents did not agree to this marriage because of certain reasons. He was to catch flight of Virgin Atlantic Airlines to London and he reached airport around 12.05 pm with his fiancée and was about to enter departure building when

complainant called him from behind and asked him to talk for about five minutes. He agreed to talk and while talking she snatched his passport from his shirt pocket and told that she would not return the passport unless he accompanied her and solemnized marriage with her in a temple forthwith. He told her that he had to report at check-in counter latest by 12.35 pm. The complainant after taking her passport went to ladies toilet and did not come out till 12.45 pm, he missed his flight. After coming out from toilet she told him that she had torn away his passport and flushed it. Complainant also started screaming and shouting at him that she would not allow him to marry another woman. Many people were looking at them. She left the place in a scooter and told him to come to her sister's house. He went to her sister's house kept waiting there but she did not come there. Thereafter he learnt about lodging of this FIR.

5. It is submitted by the petitioner that the allegations made by the complainant about molesting her were preposterous and the FIR was lodged with mala fide intention to prevent the petitioner from going to London where petitioner was practicing. The complainant subsequently lodged another FIR under Section 376 IPC against the petitioner with the same motive.

6. From the allegations made by the complainant, it is apparent that when the complainant started 'live-in relationship' with the petitioner, the petitioner had not even divorced his previous wife though it seems was living separate from her. The complainant was having a child while the petitioner was also having a child. 'Live-in relationship' is a walk-in and walk-out relationship. There are no strings attached to this relationship, neither this relationship creates any legal bond between the parties. It is a contract of living together which is renewed every day by the parties and can be terminated by either of the parties without consent of the other party and one party can walk out at will at any time. Those, who do not want to enter into this kind of relationship of walk-in and walk-out, they enter into a relationship of marriage, where the bond between the parties has legal implications and obligations and cannot be broken by either party at will. Thus, people who chose to have 'live-in relationship' cannot complain of infidelity or immorality as live-in relationships are also known to have been between married man and unmarried woman or between a married woman and an unmarried man.

7. It is admitted case of the complainant that she herself came to IGI International Airport when she learnt that the petitioner was going back to London and was about to marry someone else and it is complainant's own case that she could not tolerate this and wanted to remind the petitioner of good old days and promises. She subsequently lodged an FIR under Section 376 IPC against the petitioner. These facts make it abundantly clear that sole design of the complaint was to prevent the petitioner from leaving India because petitioner had decided to walk out of the live-in relationship between the parties. This is

clear from the sequence of events stated by the complainant in her complaint. She in her complaint under Section 354/506 IPC had not stated as to at what time she reached the airport but in her subsequent FIR she had given time of her reaching at the airport at 11.30 a.m. Obviously, she had reached airport well in advance knowing the timing of the flight. It seems the quarrel had taken place when the petitioner was to enter the departure building as there is no visitors' lounge at IGI Airport (International) and the visitors have to stay outside the departure building where taxis and cars drop the passengers who have to catch flight. There are several gates at the departure building and each gate is manned by security persons, no one can enter the departure building without an air-ticket and a passport or without a security pass. The police post is at one corner of the departure building itself and police station is downstairs near arrival building. The alleged incident reported by complainant had taken place around 12.30 p.m., the FIR was lodged at 4.00 pm when the police post is at the corner of the departure building. The four and half hours difference in lodging of FIR shows that the FIR was lodged after a considerable long time with a design to deposit passport of the petitioner with the police so late that the passport of the petitioner was not returned to the petitioner. This is clear from the subsequent events as the petitioner was not returned his passport by police and his LoC was opened by the police. This case reflects that the police was acting under some influence. Even thereafter when petitioner asked for return of passport to the police, the police refused to return it on the ground that it was part of the case property.

8. It is settled law that the Court should refrain from quashing FIR on the ground that allegations made in FIR were false. However, when FIR is lodged with mala fide motives to wreck vengeance, the Courts have interfered as an exceptional matter and quashed the FIRs. In **Eicher Tractors Limited and Ors. v. Harihar Singh and Anr.** 2009 (1) JCC 260; **State of Karnataka v. M. Devendrappa**, 2002 (1) JCC 214; **State of Haryana v. Bhajan Lal**, 1992 SCC (Cri.) 426 and **Madhavrao J. Scindhia v. Sambhajirao C. Angre**, 1988 SCC (Cri.) 234 Supreme Court held that where allegations made in an FIR or complaint were so absurd and inherently improbable on the basis of which no prudent person could ever reach a just conclusion, this was sufficient ground for quashing the FIR. The Apex Court also held that where criminal proceeding is manifestly attended with mala fide and where proceeding is maliciously instituted with an ulterior motive for wrecking vengeance on the accused and with a view to spite him due to private and person grudge, the FIR can be quashed.

9. In the present case, motive of the complainant is writ large in her two complaints. She had entered into live-in relationship knowing fully well that the petitioner was not even divorced at that time. She being an educated lady, already once married, was not a naïve as not to know the realty of live-in relationship. It cannot be thought that she was not aware that live-in

relationship was not a marriage but it was a relationship of convenience where two parties decide to enjoy company of each other at will and may leave each other at will. However, despite entering into 'live-in relationship' with the petitioner, she could not tolerate that petitioner should marry someone else and when the petitioner was about to leave India with his fiancée and was at the airport, she went to the airport with the sole motive, which is clear from the sequence of events, to prevent petitioner from flying out from India and to teach him a lesson. She had been lived with the petitioner in London. She knew that the petitioner was working in London. She enacted the events in such a manner that the petitioner could not get hold of his passport for considerable long time and could not leave India for that period. She made allegations of rape against the petitioner.

11. I consider that the FIR No. 426/2007 PS IGI Airport was got registered against the petitioner out of malice in order to wreck vengeance on the petitioner because petitioner refused to continue live-in relationship with the complainant, after due deliberations. The incident is of 12.30 pm (around) FIR's registration time is 4.00 pm, MLC of complainant was done at 7.15 pm showing no external injuries on her body. The allegations that accused petitioner, despite his fiancée being there handed over his passport to her for safe custody are preposterous. It is not her case that he was wearing clothes with no pockets. There is no reason a man would hand over his passport to a woman who had come to airport only to quarrel with him.

12. Keeping in view the above circumstances, I consider that it is a fit case where FIR should be quashed to prevent the misuse of criminal justice system for personal vengeance of a partner of 'live-in relationship'. The petition is allowed. FIR No. 426/2007 PS IGI Airport is hereby quashed."

13. In view of the quashing of the first FIR wherein the averments made in the present FIR were also considered, the continuance of the present FIR would tantamount to gross misuse of the process of Court. Although, in that case, the petition was filed for quashing of the FIR whereas in the instant case, the petitioner is seeking setting aside of the order on charge as well as quashing of FIR, the proposition of law pertaining to quashing of criminal proceedings initiated against an accused by the High Court u/s 482 Cr.P.C. has been dealt with in ***Rajiv Thapar vs. Madan Lal***, (2013) 3 SCC 330 wherein Hon'ble Apex Court, inter alia, held as under:-

“29. The issue being examined in the instant case is the jurisdiction of the High Court under Section 482 of the Code of Criminal Procedure, if it chooses to quash the initiation of the prosecution against an accused, at the stage of issuing process, or at the stage of committal, or even at the stage of framing of charges. These are all stages before the commencement of the actual trial. The same parameters would naturally be available for later stages as well. The power vested in the High Court under Section 482 of the Code of Criminal Procedure, at the stages referred to hereinabove, would have far reaching consequences, inasmuch as, it would negate the prosecution's/complainant's case without allowing the prosecution/complainant to lead evidence. Such a determination must always be rendered with caution, care and circumspection. To invoke its inherent jurisdiction under Section 482 of the Code of Criminal Procedure the High Court has to be fully satisfied, that the material produced by the accused is such, that would lead to the conclusion, that his/their defence is based on sound, reasonable, and indubitable facts; the material produced is such, as would rule out and displace the assertions contained in the charges levelled against the accused; and the material produced is such, as would clearly reject and overrule the veracity of the allegations contained in the accusations levelled by the prosecution/complainant. It should be sufficient to rule out, reject and discard the accusations levelled by the prosecution/complainant, without the necessity of recording any evidence. For this the material relied upon by the defence should not have been refuted, or alternatively, cannot be justifiably refuted, being material of sterling and impeccable quality. The material relied upon by the accused should be such, as would persuade a reasonable person to dismiss and condemn the actual basis of the accusations as false. In such a situation, the judicial conscience of the High Court would persuade it to exercise its power under Section 482 of the Code of Criminal Procedure to quash such criminal proceedings, for that would prevent abuse of process of the court, and secure the ends of justice.”

14. ***Prashant Bharti (supra)*** is also a case wherein the SLP was filed before the Hon'ble Supreme Court feeling aggrieved by the framing of charge and by relying upon ***Rajiv Thapar (supra)*** and the factual matrix appearing in that case while setting aside the order of framing of charge by the Additional Sessions Judge, the FIR was also quashed. In that case also, the prosecutrix has alleged that the accused had physical relation with her on the assurance that he would marry her but subsequently refused to marry her. Initially, the FIR was registered u/s 328 and 354 IPC but in view of the

supplementary statement regarding physical relations, offence u/s 376 IPC was added. Hon'ble Supreme Court took note of the fact that the complainant herself was married which marriage subsisted and the occurrence as alleged by the complainant were during the subsistence of her marriage, therefore, the complainant could not have been induced into a physical relationship based on assurance of marriage. Since the aspect of assurance of marriage stands falsified the acknowledged consensual physical relationship between the parties would not constitute an offence u/s 376 IPC especially because the complainant was major on the date of occurrence.

15. ***Harish Kumar*** (supra) was a case where FIR was registered u/s 376/493 IPC on the allegations that the prosecutrix fell in love with the accused who started assuring her that he would marry her. Thereafter, accused put vermilion in her hair and assured her that when time would come, he would marry her and then they started having physical relationship with each other which continued for about four years. The FIR was quashed by observing that statement of the prosecutrix makes it apparent that the prosecutrix was aware that she was not married to Harish and marriage between her and Harish was yet to take place. She developed intimacy and she herself was in love with Harish and she and Harish with consent of each other were enjoying and having sexual relationship. Since it was a case of obvious consent of the prosecutrix, no case either u/s 376 or 493 was made out.

16. In ***Udai*** (supra) also the plea of giving consent under misconception of fact was taken by the prosecutrix which was rejected by observing that the prosecutrix was aware of the fact that they belong to different castes and

proposal of their marriage will be opposed by their family members, yet prosecutrix started co-habiting with the accused consciously and became pregnant. Consent given by the prosecutrix to sexual intercourse cannot be said to be given under misconception of fact, i.e., promise to marry but because she also desired for it. As such, accused was acquitted.

17. In ***Sunil Vishnu Salve***(supra) also the conviction was set aside by holding that the *act of sexual intercourse with consent of a major girl cannot be termed as rape as a consequence of breach of promise even if breach of promise is assumed.*

18. Similar view was taken in ***Sarimoni Mahato*** (supra), ***Jayanti Rani Panda*** (supra), ***Dilip*** (supra) and ***Manjit Singh Gyan Singh*** (supra).

19. In view of the aforesaid decisions coupled with the fact that while quashing the first FIR which attained finality as SLP has been dismissed by Hon'ble Supreme Court vide order dated 29.08.2011 as per certified copy of order placed on record by the petitioner, there was no misconception of facts i.e. promise to marry because when the complainant started live in relationship with the petitioner, petitioner had not divorced his previous wife, even complainant was not divorced at that time. As such, complainant could not have been induced into a physical relationship based on assurance of marriage. Undisputedly, complainant was major at that time as such, consensual physical relationship would not constitute offence under Section 376/420 IPC.

20. Moreover, none of the allegations made in the present complaint has taken place after the registration of first FIR. Under the circumstances, even

if such a complaint was made by the complainant, that at best tantamount to a supplementary statement and at the most Section 376 IPC could have been added in that FIR itself.

21. Substantially similar question arose in ***T.T. Antony*** (supra) and the relevant observations made by Hon'ble Apex Court as detailed in para 19, 20 and 21 are reproduced as under:-

“19. An information given under sub-section (1) of Section 154 of Cr.P.C. is commonly known as First Information Report (F.I.R.) though this term is not used in the Code. It is a very important document. And as its nick name suggests it is the earliest and the first information of a cognizable offence recorded by an officer in charge of a police station. It sets the criminal law into motion and marks the commencement of the investigation which ends up with the formation of opinion under Section 169 or 170 of Cr.P.C., as the case may be and forwarding of a police report under Section 173 of Cr.P.C. It is quite possible and it happens not infrequently that more informations than one are given to a police officer in charge of a police station in respect of the same incident involving one or more than one cognizable offence. In such a case he need not enter every one of them in the station house diary and this is implied in Section 154 of Cr.P.C. Apart from a vague information by a phone call or a cryptic telegram, the information first entered in the station house diary, kept for this purpose, by a police officer in charge of a police station is the First Information Report - F.I.R. postulated by Section 154 of Cr. P.C. All other informations made orally or in writing after the commencement of the investigation into the cognizable offence disclosed from the facts mentioned in the First Information Report and entered in the station house diary by the police officer or such other cognizable offenses as may come to his notice during the investigation, will be statements falling under Section 162 of Cr.P.C. No such information/statement can properly be treated as an F.I.R. and entered in the station house diary again, as it would in effect be a second FIR and the same cannot be in conformity with the scheme of the Cr.P.C. Take a care where an FIR mentions cognizable offence under Section 307 or 320 I.P.C. and the investigating agency learns during the investigation or receives a fresh information that the victim died, no fresh FIR under Section 302 I.P.C. need be registered which will be irregular; in such a case alteration of the provision of law in the first FIR is the proper course to adopt. Let us consider a different situation in which H having killed W, his wife, informs the police that she is killed by an unknown persons that W is killed by his mother or sister, H owns up the responsibility and during investigation the truth is detected; it does not

require filing of fresh FIR against H- the real offender-who can be arraigned in the report under Section 173(2) or 173(8) of Cr.P.C., as the case may be. It is of course permissible for the investigating officer to send up a report to the concerned Magistrate even earlier that investigation is being directed against the person suspected to be the accused.

20. *The scheme of the Cr.P.C. is that an officer in charge of a Police Station has to commence investigation as provided in Section 156 or 157 of Cr.P.C. on the basis of entry of the First Information Report, on coming to know of the commission of a cognizable offence. On completion of investigation and on the basis of evidence collected he has to form opinion under Section 169 or 170 of Cr.P.C., as the case may be, and forward his report to the concerned Magistrate under Section 173 (2) of Cr.P.C. However, even after filing such a report if he comes into possession of further information or material, he need not register a fresh FIR, he is empowered to make further investigation, normally with the leave of the court, and where during further investigation he collects further evidence, oral or documentary, he is obliged to forward the same with one or more further reports: this is the import of sub-section (8) of Section 173 Cr.P.C.*

21. *From the above discussion it follows that under the scheme of the provisions of Sections 154, 155, 156, 157, 162, 169, 170 and 173 of Cr.P.C. only the earliest or the first information in regard to the commission of a cognizable offence satisfies the requirements of Section 154 Cr.P.C. Thus there can be no second F.I.R. and consequently there can be no fresh investigation on receipt of every subsequent information in respect of the same cognizable offence or the same occurrence or incident giving rise to one or more cognizable offences. On receipt of information about a cognizable offence or an incident giving rise to a cognizable offence or offences and on entering the F.I.R. in the station house diary, the officer in charge of a Police Station has to investigate not merely the cognizable offence reported in the FIR but also other connected offences found to have been committed in the course of the same transaction or the same occurrence and file one or more reports as provided in Section 173 of the Cr.P.C.”*

22. That being so, in view of the further details given by the complainant, the Investigating Officer was empowered to make further investigation and then to forward the same with one or more further reports as contemplated under Sub Section 8 of Section 173 Cr.P.C but under the provisions of Code of Criminal Procedure, there could not have been second FIR on the

basis of same allegations.

23. The first FIR has already been quashed. The SLP filed by the complainant against the quashing of FIR was dismissed. That being so, First Information Report registered u/s 376 of the Penal Code against the petitioner and the consequential charge sheet as also the framing of the charges by the Additional Sessions Judge, New Delhi on 6th August, 2009 deserves to be quashed. The same are accordingly quashed.

The petition stands disposed of.

(SUNITA GUPTA)
JUDGE

MAY 8, 2015

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