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

Date of Decision: 16th March, 2016

+ **W.P.(CRL) 558/2015**

MANISH CHADHA & ORS Petitioners
Through Mr. Anand Maheshwari, Advocate

versus

THE STATE (NCT OF DELHI)& ANR Respondents
Through Mr. Ashish Aggarwal, Addl. Standing
Counsel (Crl.) with Mr. Piyush Singhal,
Advocate
SI Kamal, PS Shalimar Bagh
Respondent no. 2 in-person

CORAM:
HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

SIDDHARTH MRIDUL, J. (ORAL)

1. The present petition has been received on transfer.
2. The present is a petition under Article 226/227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 praying as follows:-

“It is, therefore, most respectfully prayed that the Hon’ble Court may be pleased to direct the trial courts to dispose of the cases listed hereunder at an earliest date by conducting the day to day proceedings preferably within a period of six months by issuing a writ of mandamus or any other writ in the facts and circumstances of the case:-

- (i) Gurpreet Kaur vs. Manish Chadha & Ors., u/s 12

of DV Act filed on 27.08.2008 before Court of Ms. Mona T. Kerketta, MM, Tis Hazari, Delhi and 3 petitions under Section 340 of Cr.P.C. with the main petition, next date of hearing is 16.05.2015.

- (ii) Appeal filed by respondent no. 2 titled as Gurpreet Kaur vs. Manish Chadha & Ors., pending in the Court of Sh. Dinesh Bhatt, ASJ, Tis Hazari, Delhi challenging order dated 06.01.2014 u/s 29 of DV Act and next date of hearing is 27.03.2015.
- (iii) Appeal filed by petitioner no. 1 titled as Manish Chadha vs. Gurpreet Kaur, against above cited order dated 06.01.2014, pending in the Court of Sh. Dinesh Bhatt, ASJ, Tis Hazari, Delhi and next date of hearing is 27.03.2015.
- (iv) Respondent no. 2 has also filed a criminal case against petitioners titled as State vs. Manish Chadha & Ors., u/s 498A/406/34 IPC in Court of Ms. Shefali Barnala Tandon, MM, Rohini, Delhi and next date for arguments on charge is 02.05.2015. Charge-sheet was filed in September, 2010.
- (v) Petition u/s 13(1)(a) of HMA titled Manish Chadha vs. Gurpreet Kaur filed on 21.12.09 and next date is 19.5.2015 pending in Court of Sh. D.S. Punia, Principal Judge, Family Court, Tis Hazari, Delhi. Respondent no. 2 has filed petition under section 24 of HMA on 18.03.2010 and next date is 19.5.2015 for arguments. Also 4 petitions u/s 340 Cr.P.C. filed by petitioners and respondent no. 2 with the main petition.

Any other reliefs which this Hon'ble Court may deem fit and proper be also passed in favour of the petitioners."

3. The cases enumerated hereinabove are a consequence of marital discord between Mr. Manish Chadha, petitioner no. 1 (husband) on the one hand and Ms. Gurpreet Kaur, respondent no. 2/complainant (wife) on the other.

4. It is an admitted position that the parties to the union have been litigating against each other for the past eight years.

5. A number of proceedings *inter se* which also involve the respective parents of the parties to the marriage are pending adjudication before various Courts in Delhi.

6. Ms. Gurpreet Kaur, respondent no. 2/complainant (wife), who is present in person in Court today, states that she is currently employed with a multinational corporation (GE, Gurgaon, Haryana) and that the delay in the adjudication of all the proceedings between the parties is causing her deep anguish and harassment.

7. The parties have levelled accusations and allegations against each other as contained in the pleadings of all the proceedings pending before various Courts as afore-stated.

8. Without going into the merits of those accusations and allegations levelled by the parties against each other and their family members, keeping in mind the saying that “*If it were done when ‘tis done, then ‘twere well if it were done quickly*”, with the consent of the parties, the hearing of the following cases is expedited:-

- (i) Gurpreet Kaur vs. Manish Chadha & Ors., u/s 12 of DV Act filed on 27.08.2008 before Court of Ms. Mona T. Kerketta, MM, Tis Hazari, Delhi and 3 petitions under Section 340 of Cr.P.C. with the main petition, next date of hearing is 16.05.2015.
- (ii) A criminal case against petitioners titled as State vs. Manish Chadha & Ors., u/s 498A/406/34 IPC in Court of Ms. Shefali Barnala Tandon, MM, Rohini, Delhi and next date for arguments on charge is 02.05.2015. Charge-sheet was filed in September, 2010.
- (iii) Petition u/s 13(1)(a) of HMA titled Manish Chadha vs. Gurpreet Kaur filed on 21.12.09 and next date is 19.5.2015 pending in Court of Sh. D.S. Punia, Principal Judge, Family Court, Tis Hazari, Delhi. Respondent no. 2 has filed petition under section 24 of HMA on 18.03.2010 and next date is 19.5.2015 for arguments. Also 4 petitions u/s 340 Cr.P.C. filed by petitioners and respondent no. 2 with the main petition.

9. Insofar as the following two proceedings are concerned, the same have been rendered infructuous in view of the circumstance that these proceedings have already been decided in accordance with law:-

- (i) Appeal filed by respondent no. 2 titled as Gurpreet Kaur vs. Manish Chadha & Ors., pending in the Court of Sh. Dinesh Bhatt, ASJ, Tis Hazari, Delhi challenging order dated 06.01.2014 u/s 29 of DV Act.
- (ii) Appeal filed by petitioner no. 1 titled as Manish Chadha vs. Gurpreet Kaur, against above cited order dated 06.01.2014, pending in the Court of Sh. Dinesh Bhatt, ASJ, Tis Hazari, Delhi.

10. The concerned Courts are requested to dispose of the above proceedings as expeditiously as possible and preferably within a period of six months from the next date of hearing in the respective proceedings without granting any unwarranted adjournments to counsel appearing on behalf of the parties.

11. With the above directions, the writ petition is allowed and disposed of accordingly.

12. Copy of this order be sent to concerned MM, Tis Hazari Courts, Delhi; concerned Principal Judge, Family Court, Tis Hazari Courts; and concerned MM, Rohini Courts, Delhi for information and compliance.

13. Copy of this order be given dasti to counsel for the parties.

SIDDHARTH MRIDUL, J

MARCH 16, 2016
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