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

+ CRL.M.C. 2675/2016

GUDDU @ BRIJBHUSHAN

..... Petitioner

Represented by: Mr. Abhishek Kumar, Adv.

versus

STATE (NCT OF DELHI) & ANR

..... Respondent

Represented by: Mr. Hirein Sharma, APP for
State with SI Kamal Kumar, PS
OIA, New Delhi
Counsel for R-2 (appearance
not given) with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **29.07.2016**

Crl.M.A. 11452/2016

Exemption allowed, subject to all just exceptions.

Crl.M.A. 11454/2016

For the reasons stated in the application, the delay of 10 days in
refiling the petition is condoned.

Application is disposed of.

Crl.M.C. 2675/2016 & Crl.M.A. 11453/2016

By this petition, the petitioner seeks quashing of FIR No.583/2014
under Section 363 IPC registered at PS Okhla Industrial Area on the

complaint of respondent No.2.

Notice.

Learned APP for the State accepts notice and points out that though respondent No.2 is the complainant in the abovementioned FIR however the victim was the daughter of respondent No.2 and the FIR cannot be quashed till the victim is impleaded as a party.

Learned counsel for respondent No.2 states that daughter of respondent No.2 cannot come to Court in near future.

Faced with this situation, learned counsel for the petitioner on instructions from the petitioner who is present in Court seeks leave to withdraw the present petition and application with liberty to file a fresh petition as and when daughter of respondent No.2 is in a position to come. Leave and liberty granted.

Petition and application are dismissed as withdrawn.

MUKTA GUPTA, J.

JULY 29, 2016
V Mittal