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

+ **CRL.M.C. 3348/2016**

DEVI DAYAL @ SURESH GUPTA

..... Petitioner

Through: Mr. Pawan Sharma, Advocate

versus

STATE & ANR

..... Respondent

Through: Mr. G.M. Farooqui, APP with SI
Yograj Dalal, PS Moti Nagar

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
09.09.2016

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Crl.M.A. No.14179/2016

Exemption allowed, subject to all just exceptions. The application stands disposed of.

CRL.M.C. 3348/2016

This petition has been preferred to seek quashing of FIR No.36/2013 under Section 354A/177 IPC registered at PS Moti Nagar and the proceedings arising therefrom. The petition is premised on the consent of complainant/respondent No.2, who is present in court and is identified by the I.O.

On being questioned, respondent No.2 states that she does not wish to pursue her complaint on account of harassment that she has to suffer due to

the prolongation of the case. She submits that she is studying as well as working and she finds it inconvenient to attend the case.

The allegations against the petitioner are serious and I am, therefore, not inclined to quash the FIR and the proceedings arising therefrom.

This instance reflects a very sad state of affairs, as the complainant is feeling compelled to withdraw her charges against the petitioner only on account of the case not being expeditiously disposed of.

In these circumstances, the petition is dismissed with a direction to the Trial Court to ensure that the complainant is put to least inconvenience in the matter, and as and when her presence is required for any purpose, she is not made to waste her time waiting for her matter to be taken up. Her evidence be recorded at the earliest. The Trial Court should endeavour to ensure that she is not required to come repeatedly to the court for the said purpose. The complainant shall also be provided adequate security by the State from the petitioner or any of his associates.

Petition stands disposed of.

VIPIN SANGHI, J

SEPTEMBER 09, 2016

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