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

+ **CRL.M.C. 4825/2016**

VIJENDER SINGH

..... Petitioner

Through: Mr. Biswajit Patra and Ms. Prabha
Mishra, Advocates

versus

STATE & ANR

..... Respondent

Through: Mr. Rajat Katyal, APP with Insp
Gulshan Nagpal, PS Inderpuri
Ms. Lakshana Oberoi and Brijesh
Oberoi for R-2

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

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22.12.2016

Crl. M.A. No. 20037/2016

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

CRL.M.C. 4825/2016

Issue notice. Notice is accepted on behalf of the State. Respondent no.2 is present with her counsel and accepts notice. She is identified by the IO. The petitioner has filed the present petition to seek the quashing of FIR No.135/2014 registered at PS Inderpuri u/s 323/509/326A IPC and the proceedings arising therefrom.

The petitioner and the complainant were married. The petitioner allegedly threw acid upon respondent no.2, his own wife and also inflicted injuries with plass. Out of the wedlock, a male child was born. The parties have obtained divorce and the custody of the child has been delivered to respondent no.2. The petitioner has agreed not to claim his custody or any visitation rights. No money has been paid by the petitioner to respondent no.2 towards alimony. He has also not paid even a single penny for the upbringing of the child.

The petitioner is present in court with his sister. On a query by the court, it is informed that he is uneducated and he works as a labour/ book binder. The court has interacted with the petitioner and he has reiterated that he has no concern with respondent no.2 or the child, and that he shall not seek either any visitation rights or custody of the child.

In a case like the present, in the normal course, the court would not have quashed the FIR even on a compromise considering the fact that this is a case of acid attack by a person on his own wife. The petitioner has also not compensated the complainant for his actions and has not paid any alimony to respondent no.2 or any maintenance for the upbringing of his own child. However, the complainant wishes to move on in her life since she has remarried. She would, therefore, like to forget her association with the petitioner as a bitter experience of the past.

The petitioner has agreed to pay costs to atone for his conduct as may be determined by this court.

Considering the fact that the petitioner works as a labour/ book binder, let the petitioner pay token costs of Rs.10,000/- in the Prime Minister's National Relief Fund. The said amount shall be deposited within

six weeks and the receipt shall be provided to the I.O. and whereafter the case shall be closed.

DECEMBER 22, 2016

sr

VIPIN SANGHI, J