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

+ CRL.M.C. 4710/2015

HASIM KHAN

..... Petitioner

Through : Mr.Manoj Kumar, Advocate.

versus

ANJUMNISHA @ ANJUM

..... Respondent

Through : Mr.Arshdeep Singh with Mr.Hitesh
Rai, Advocates.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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19.08.2016

1. Learned counsel for the petitioner informs that the petitioner is ready and willing to deposit the entire arrears of maintenance within a month and it should be kept in the form of interest accruing FDR to be released to the complainant, in case she succeeds. This proposal is not acceptable to the complainant.

2. During the course of arguments, the learned counsel for the petitioner voluntarily agreed to pay the entire arrears of maintenance to the complainant within one month. He, however, prayed to record

that in case the petitioner succeeds in the proceedings, the complainant shall return the entire amount received by her to the petitioner. To this, the complainant's counsel has no objection.

3. The petitioner shall pay the entire arrears of maintenance to the complainant within one month. In case, the petitioner succeeds in the proceedings pending before the court below, the complainant shall return the entire amount so received to the petitioner.

4. In view of the above, the learned counsel for the petitioner seeks permission to withdraw the present petition.

5. The petition is dismissed as withdrawn.

S.P.GARG, J.

AUGUST 19, 2016/sa