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

+ W.P.(CRL) 1468/2019

MANOHAR KUMAR BALIVADA

..... Petitioner

Through: None.

versus

STATE OF NCT DELHI & ANR

..... Respondents

Through: Mr Avi Singh, ASC for State with Mr  
Tanuj Bhadana, Advocate for State.  
Mr Harsh Sharma and Ms Garima  
Sharma, Advocates for R-2.

**CORAM:**

**HON'BLE MR. JUSTICE VIBHU BAKHRU**

**ORDER**

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**29.01.2020**

**CRL.M.A. 1979/2020**

1. Respondent no.2 has filed the present application, *inter alia*, praying that the order passed by this Court on 20.05.2019 quashing FIR No.0062/2018 under Section 498A/406/34 IPC registered with PS Crime (Women) Cell Nanak Pura be recalled.
2. The said FIR was quashed pursuant to the settlement arrived at between respondent no.2 and the petitioner. Respondent no.2 had appeared before the Court and had stated that she had resolved all her disputes with the petitioner and she did not wish to pursue the FIR in question. This Court had also observed that the parties had amicably resolved all their differences of their own will, volition and without any coercion and therefore, no useful purpose would be served in continuing the proceedings.

3. The applicant now states that she had been misled into settling the matter with the petitioner. She stated that although the petitioner's behaviour had improved considerably during the period immediately prior to quashing the said FIR, he had reverted back to his earlier conduct after the aforesaid FIR was quashed. She complains that the petitioner has physically beaten her on several occasions and has also entered into another marriage with a French woman.

4. Insofar as the FIR in question is concerned, this Court does not consider it apposite to revive the same. The said FIR contains certain allegations with regard to the conduct of the petitioner and his family members and respondent no.2 has resolved the same without any coercion as recorded in the order dated 20.05.2019. It would not be apposite to allow the applicant to now to make a grievance of the acts/conduct that were condoned by her.

5. Insofar as the applicant's complaint regarding the conduct of the petitioner after 20.05.2019 is concerned, the applicant is not precluded in any manner from filing a complaint regarding the same. It is directed that if any such complaint is filed, the concerned police authority shall examine the same and if warranted, register a fresh FIR. In the event police authorities do not register an FIR as desired by the applicant, all other remedies in this regard are available to the applicant.

6. The application is disposed of.

**VIBHU BAKHRU, J**

**JANUARY 29, 2020/MK**