

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.5245 OF 2019

Dhyanchand Gupta & Ors. ... **Petitioners**
Versus
Deepika Dhyanchand Gupta
D/o. Balchandra Gupta & Ors. ... **Respondents**

.....
Mr.Rajesh Singh along with Mr.Ashish Singh and Mr.Deepak Singh,
Advocate for the Petitioners.

Mr.S.V.Gavand, the Additional Public Prosecutor for the
Respondent/State.

....

CORAM : A.M.BADAR J.

DATED : 7th JANUARY 2020.

P.C. :

1 Heard the learned Counsel appearing for the petitioners. He argued that as the husband has filed petition for divorce, the respondent No.1/wife has filed a petition under Section 12 of the Protection of Women from Domestic Violence Act, 2005 (hereinafter referred to as 'the D.V.Act' for the sake of brevity). It is further argued that all relatives of the husband are arraigned in the petition as respondents and, therefore, the proceedings are required to be quashed. The learned Counsel further argued that much earlier before the alleged incident, sisters of the husband are married.

2 I have considered the submissions so advanced and also perused the copy of the application under Section 12 of the D.V.Act filed by respondent No.1.

3 Perusal of pleadings made in that application demonstrates that the respondent No.1 was in domestic relations with petitioners and she has also alleged domestic violence committed on her by them. Therefore, this is not a fit case for quashing the proceedings.

3 The Petition is, therefore, dismissed.

(A.M.BADAR, J.)