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

+ **CRL.M.C. 560/2023**

ANWAR

.....Petitioner

Through: Mr. Mohammad Haroon, Mr. Faiz
Imam, Advs.

versus

SHABANA

.....Respondent

Through: Appearance not given.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

29.04.2025

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1. This hearing has been done through hybrid mode.
2. The present petition under Article 227 of the Constitution of India read with Section 482 of the CrPC seeks the following prayers: -

“a) Set aside impugned Judgment dated 09.11.2022 passed by The Court of Ms. Shalinder Kaur, Principal District & Sessions Judge, District- Shahdara, Karkardooma Courts, Delhi in Crl.A. No.- 31/2020 in the case titled as "Anwar Vs. State of N.C.T. of Delhi & Anr." in the Criminal Appeal dated 11.02.2020 filed by Petitioner Under Section 29 of The Protection of Women from Domestic Violence Act (P.W.D.V.), 2005 against the Judgment dated 30.11.2019 of Ld. Trial Court, whereby Criminal Appeal dated 11.02.2020 Under Section 29 of The Protection of Women from Domestic Violence Act, 2005 filed by Petitioner against the Judgment dated 30.11.2019 of Ld. Trial Court has been dismissed in limine and without on merits.

b) Direct the Appellate Court to decide the Criminal Appeal dated 11.02.2020 filed by Petitioner Under Section 29 of The Protection of Women from Domestic Violence Act, 2005 against the Judgment dated 30.11.2019 of Ld. Trial Court, on merits after giving both parties fair opportunity/fair equality of opportunity of being heard.

c) Stay operation of Judgment dated 30.11.2019 passed by The

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Court of Ms. Kadambari Awasthi, Metropolitan Magistrate (Mahila Court-02), District- Shahdara, Karkardooma Courts, Delhi in Ct. No.2871/16, P.S.- Gokulpuri in case titled as "Smt. Shabana Vs. Sh. Anwar & Ors." in the Complaint dated 27.03.2012 filed by Respondent Under Section 12 of The Protection of Women from Domestic Violence Act, 2005 against Petitioner, whereby Petitioner has been directed to provide alternative accommodation or to pay Rs.2,000/- to Respondent in lieu of rent and to pay a sum of Rs.4,500/- per month to Respondent/wife and child towards maintenance from the date of the order till the aggrieved/wife and child legally entitled to receive the same.

d) Stay Two Execution Proceedings bearing Ex. Crl. No.-5512021 in the case titled as "Sabana Versus Anwar" and Ex. Crl. No.-8012022 in the case titled as "Sabana Versus Anwar" pending adjudication for 28.01.2023 before The Court of Ms. Izra Zaidi, Ld. Metropolitan Magistrate, Mahila Court-O2, Karkardooma Courts, Delhi in terms of the Judgment dated 30.11.2019 of Ld. Trial Court.

e) Pass any other Order/ Direction, which this Hon'ble Court deems fit and proper in facts & circumstances of the case, in favour of petitioners."

3. Learned counsel appearing on behalf of the petitioner seeks leave to withdraw the present petition on the ground that the matter has since been settled.
4. Leave granted.
5. The petition is dismissed as withdrawn and disposed of.
6. Pending applications, if any, also stand disposed of.
7. Order be uploaded on the website of this Court *forthwith*.

AMIT SHARMA, J

APRIL 29, 2025/kr/pr

Click here to check corrigendum, if any

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