



\$~74

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

+ CRL.M.C. 9864/2024

RODERICK GILBERT

.....Petitioner

Through: Mr.Aamir Choudhary, Mr. Arnav
Sharma, Ms. Sakshi Yadav, Mr.
Aditya Wadhwa, Mr. Raunaq Bali,
Advs.

versus

ANITA SINGH

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

% **16.12.2024**

CRL.M.A. 37784/2024 (exemption)

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

CRL.M.C. 9864/2024

1. The present petition has been filed seeking quashing of domestic violence complaint case 1869/2024 filed under Section 12 Protection of Women from Domestic Violence Act, 2005 pending before learned JMFC (Mahila Court), Tis Hazari, Central District, Delhi PS Roop Nagar, District, Central, Delhi.
2. Learned counsel for the petitioner submits that the complainant/respondent knew fully well that the petitioner is a married person and despite that continued to be "live-in relationship" with him for a long time. Learned counsel submits that the respondent



filed false and frivolous cases against him including the present case under Section 12 Protection of Women from Domestic Violence Act, 2005.

3. Issue notice to the respondent through all permissible modes upon taking steps by the petitioner, returnable on 30.01.2025.

CRL.M.A. 37783/2024

4. Learned counsel for the petitioner submits that, in light of the judgment of this Court in *Aman Nugyal v. State of NCT of Delhi & Ors.*, MANU/DE/3587/2018, which followed the principles laid down by the Hon'ble Supreme Court in *D. Velusamy v. D. Patchaiammal*, (2010) 10 SCC 469, the facts of the present case are identical. Therefore, the petitioner prays for the proceedings to be stayed.
5. Issue notice to the respondent through all permissible modes upon taking steps by the petitioner, returnable on 30.01.2025.
6. In the meantime, the trial Court is requested to defer to the date beyond the date fixed by this Court.

DINESH KUMAR SHARMA, J

DECEMBER 16, 2024

Pallavi/NA