

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl)... 2009  
CRLMP.NO(s). 5002

(From the judgement and order dated 21/10/2008 in CRLM No. 3358/2008 of  
The HIGH COURT OF DELHI AT N. DELHI)

DEEPIKA BHARDWAJ

Petitioner(s)

VERSUS

RUCHITA SHARMA BHARDWAJ  
(With appln(s) for c/delay in filing SLP

Respondent(s)

Date: 06/04/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR  
HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Petitioner(s) Mr. Vaibhav Gaggar, Adv.  
Mr. Debesh Panda, Adv.  
Mr. Niraj Kumar Mishra, Adv.  
Mr. R.C. Kohli, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following  
ORDER

Delay condoned.

In this Special Leave Petition, the petitioner has questioned the decision of the Delhi High Court in interpreting the expression "complaint" which finds place in the proviso of Section 2(q) of the Protection of Women from Domestic Violence Act, 2005, as against the right to file an application before the Magistrate under Section 12 of the Act. The High Court has held that the expression "complaint" would be inter-changeable with the expression "application" as used in Section 12.

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Learned counsel appearing in support of the Special Leave Petition has pointed out that a contrary view has been taken by the Madhya Pradesh High Court in Ajay Kant & Ors. Vs. Smt. Alka Sharma (2008 (1) JCC 174.

Let notice issue on the aforesaid question.

In the meantime, there will be stay of operation of the orders dated 12th August, 2008, and 14th August, 2008, passed by the learned Metropolitan Magistrate, New Delhi dated 12th August, 2008, in Application No. 4348/01/08 dated 12th August, 2008.

(Ganga Thakur)  
P.S. to Registrar

(Juginder Kaur )  
Court Master