

**HIGH COURT OF JUDICATURE FOR RAJASTHAN BENCH AT
JAIPUR**

S.B. Criminal Writ No. 11 / 2014

Suresh Kumar S/o Sadhuram by caste Ahir, R/o Dhani Bhangarwali (Bagawas), Tehsil Viratnagar, District Jaipur (Raj.)

----Petitioner-Accused

Versus

1. Smt. Khamosh Devi wife of Suresh Kumar, By caste Ahir, Dhani Bhangarwali (Bagawas) Tehsil Viratnagar, District Jaipur (Rajasthan) at present D/o Rattiram, by caste Ahir, R/o Dhani Motiwali Pyau, Tan Khohari, Tehsil Bansoor, District Alwar, Rajasthan.

2. State of Rajasthan through Public Prosecutor

---Non-Petitioner-Complainant

For Petitioner(s) : Mr. Kailash Sharma

For Respondent(s) : Mr. V. S. Godara, P. P. for State

Mr. Hari Prasad Jangid

HON'BLE MR. JUSTICE VIJAY KUMAR VYAS

Order

31/07/2017

Learned counsel appearing on behalf of private respondent Mr. Hari Prasad Jangid submitted that in compliance of order dated 21.02.2017, he tried his level best to contact his client but for want of address or otherwise he could not contact the party and seek instructions. Therefore, he wants to plead no instructions on behalf of the private respondent.

On 21.02.2017, learned counsel for the petitioner made submissions before the Court that private respondent wife Smt. Khamosh Devi has already got dissolved the marriage by way of decree of divorce on 07.08.2013, therefore, she is not entitled to get maintenance amount or any other relief under the provisions

of Domestic Violence Act from the present petitioner.

Since, the above submissions of the petitioner have remained un-rebutted, it deems appropriate that present writ petition be disposed of on request of the petitioner to withdraw with a liberty to pursue the matter before the trial Court in light of subsequent developments.

Therefore, permission with liberty is granted and the writ petition is disposed of as withdrawn.

(VIJAY KUMAR VYAS),J.

Gourav/30

