

**IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR**

BEFORE

HON'BLE SHRI JUSTICE GURPAL SINGH AHLUWALIA

ON THE 8th OF MAY, 2024

MISC. CRIMINAL CASE No. 15537 of 2024

BETWEEN:-

1. **GAJANAND KUSMRIYA S/O SHRIPAL KUSMRIYA, AGED ABOUT 34 YEARS, OCCUPATION: ADVOCATE R/O ROYAL CHOWK CHHINDWARA DISTRICT CHHINDWARA (MADHYA PRADESH)**
2. **BITTI KUSMRIYA W/O SHRIPAL KUSMRIYA, AGED ABOUT 65 YEARS, OCCUPATION: HOUSEWIFE R/O ROYAL CHOWK CHHINDWARA DISTRICT CHHINDWARA (MADHYA PRADESH)**
3. **KARUNA KUSMRIYA W/O LEELADHAR KUSMRIYA, AGED ABOUT 37 YEARS, OCCUPATION: HOUSEWIFE R/O ROYAL CHOWK CHHINDWARA DISTRICT CHHINDWARA (MADHYA PRADESH)**
4. **LEELADHAR KUSMRIYA S/O SHRIPAL KUSMRIYA, AGED ABOUT 37 YEARS, OCCUPATION: HEAD CONSTABLE R/O ROYAL CHOWK CHHINDWARA DISTRICT CHHINDWARA (MADHYA PRADESH)**
5. **LALITA SINGARE W/O GANJENDRA SINGARE, AGED ABOUT 42 YEARS, OCCUPATION: HOUSEWIFE R/O WARD NO 21 BEHIND RAM MANDIR CHOTI BAZAAR CHHINDWARA DISTRICT CHHINDWARA (MADHYA PRADESH)**

....PETITIONER

(BY SHRI SAKET MALLIK - ADVOCATE)

AND

1. THE STATE OF MADHYA PRADESH
THROUGH THANA INCHARGE
POLICE STATION CHAND DISTRICT
CHHINDWARA (MADHYA PRADESH)
2. RANI KUSMRIYA W/O GAJANAND
KUSMRIYA, AGED ABOUT 26 YEARS,
R/O UBHAGAON POLICE STATION
CHAND CHAND DISTRICT
CHHINDWARA MP (MADHYA
PRADESH)

....RESPONDENTS

(BY SHRI DILIP PARIHAR – PANEL LAWYER)

This application coming on for admission this day, the court passed the following:

ORDER

1. This application has been filed under section 482 Cr.P.C. seeking the following reliefs :-

It is, therefore, prayed that this Hon'ble court may kindly be pleased to quash the impugned FIR lodged in relation to Crime No.417/2023 registered at Police Station Chand, District Chhindwara, M.P. by the respondent no.2 in the interest of justice.

2. In view of the allegations made in the FIR coupled with the fact that applicants have alleged that respondent no.2 is living in adultery which is a serious allegation requiring proof by leading cogent evidence and in case if that allegation is not found to be proved then that by itself

would constitute cruelty, counsel for the applicant seeks permission of this court to withdraw this application.

3. It is accordingly **dismissed** as withdrawn.

(G.S. AHLUWALIA)
JUDGE

HS