

IN THE HIGH COURT OF DELHI AT NEW DELHI

07.08.2007

**Present: Mr.R.P. Yadav, Advocate for the petitioner.
Ms. Rajdipa Behura, Advocate for the State.**

W.P. (CrI.) No.849/2007

This petition under Article 226 of the Constitution of India read with Section 482 Cr.P.C has been filed by the petitioner for dropping of proceedings pending before the CAW Cell, Amar Colony against the petitioner and his family members on the ground that the complainant wife has already made a complaint under the provisions of Domestic Violence Act in the Court of learned Metropolitan Magistrate, Patiala House Courts. Her allegations made before the Metropolitan Magistrate and CAW Cell are ditto.

CAW Cell is an agency created to make efforts for reconciliation between the families before initiation of criminal proceedings on the complaint of the wife. The petitioner is at liberty not to appear before the CAW Cell. No coercive action can be taken by the CAW Cell, compelling an unwilling person to put in appearance before it. CAW Cell can conduct proceedings only where both the parties are ready and willing to join the proceedings voluntarily.

I consider that there is no reason for the Court to pass any order in respect of proceedings before the CAW Cell as these proceedings are not judicial or quasi-judicial nor proceedings in the investigation of the crime. They are only reconciliatory proceedings. The petitioner is at liberty not to join the proceedings before CAW Cell.

In view of the foregoing discussion, this petition is not maintainable and is hereby dismissed as such.

Dasti.

August 07, 2007 SHIV NARAYAN DHINGRA. J.

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