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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 3446/2010

SUKH DAYAL @ SUKKU & ORS

..... Petitioner

Through Mr. Akil Advocate

versus

STATE & ANR

..... Respondent

Through Mr. Sunil Sharma, Addl. PP for the State.

CORAM:

JUSTICE SHIV NARAYAN DHINGRA

ORDER

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02.11.2010

Crl. M.A. No. 17012/2010

Allowed, subject to all just exceptions.

CRL.M.C. No. 3446/2010 with Crl. M.A. no. 17011/2010

This petition has been filed for quashing of FIR No. 27/2007, P.S. N. Garh, registered under Section 498-A/406/34 IPC. A similar petition was filed by the petitioner being Crl. Misc. no. 1001/2007 and the same was dismissed.

Counsel for the petitioner states that now charge-sheet has been filed in the matter and he has, therefore, right to again approach this Court for quashing of FIR after filing of charge-sheet.

I consider that counsel for the petitioner has some misconception. After charge-sheet has been filed, the court again cannot consider the quashing of FIR even on merits. Once the investigation is complete and charge-sheet has been filed before the trial court, the petitioner has a right to argue before the court concerned whether charge is made out or not.

The petition is dismissed.

NOVEMBER 02, 2010

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SHIV NARAYAN DHINGRA, J

Signature Not Verified

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