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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 3535/2010

KARAN

..... Petitioner

Through: Mr. D.D. Sharma, Advocate

versus

STATE & ANR

..... Respondent

Through: Mr. Sunil Sharma, APP for State

CORAM:

JUSTICE SHIV NARAYAN DHINGRA

ORDER

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15.11.2010

This petition has been preferred by the petitioner for quashing of FIR registered under Section 376 IPC on the ground that the complainant under mistaken belief filed this FIR against the accused.

I consider that an offence under Section 376 IPC being punishable with minimum sentence of 7 years cannot be looked into so lightly and the prosecutrix cannot be allowed to turn around and say that she made a false statement and that now she has compromised the matter. If a prosecutrix makes false statement of an offence punishable with minimum period of 7 years imprisonment, she must be made to face the consequence of registering a false FIR against an innocent person. The Court cannot allow quashing of such FIR when neither the prosecutrix is being punished for making false statement nor the accused is brought to book for offence of rape.

I find no force in this petition. The petition is hereby dismissed.


SHIV NARAYAN DHINGRA, J

NOVEMBER 15, 2010
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Signature Not Verified

Signing Date: 06.08.2024 17:06:00
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