

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Decision: January 29, 2015

+ **CRL.M.C. 23/2014**

ARUN KHATRI @ MONU & ANR. Petitioners

Through: Mr. Hanish Saharawat, Advocate

versus

STATE OF NCT OF DELHI & ANR.Respondents

Through: Mr. Navin Sharma, Additional
Public Prosecutor for respondent-
State with Inspector Rajesh

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

% **JUDGMENT**
(ORAL)

Quashing of FIR No.159/2013, under Sections 468/420/471/427/511/448 of *IPC* registered at police station Swaroop Nagar, Delhi is sought on the basis of affidavit of respondent No.2-complainant/first-informant of the FIR in question.

Learned Additional Public Prosecutor for respondent-State submits that the investigation of this FIR case is in progress and the main accused is not co-operating with the investigation of this case.

Since there are allegations of forgery, etc., and the investigation is in progress, therefore, this Court is not inclined to entertain this petition under Section 482 of Cr.P.C.

At this stage, learned counsel for petitioners submits that since

respondent No.2/complainant has no objection to the quashing of this FIR, therefore, no coercive steps be taken against petitioners.

Learned Additional Public Prosecutor for respondent-State submits that for this purpose, petitioners are required to file an application under Section 438 of Cr.P.C.

Two weeks' time is granted to petitioners to seek pre-arrest bail from the Sessions Court and till then, purely as an interim measure and without commenting upon merits of this case, it is directed that no coercive steps be taken against petitioners.

This petition is accordingly dismissed.

(SUNIL GAUR)
JUDGE

JANUARY 29, 2015

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