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

+ CRL.REV.P. 69/2016 & CRL.M.A.1439/2016

MANMOHAN SINGH

..... Petitioner

Through: Mr.Pritpal Singh Nijjar, Mr.Rohit  
Bhardwaj & Mr.Amit Kumar, Advs.

versus

STATE OF DELHI & ORS

..... Respondents

Through: Mr.Sudershan Joon, APP for the State

**CORAM:**

**HON'BLE MS. JUSTICE PRATIBHA RANI**

**ORDER**

**10.03.2016**

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1. By way of this revision petition filed under Section 397 read with Section 401 Cr.P.C., petitioner is challenging the order on charge dated 15<sup>th</sup> December, 2015 passed by learned ASJ, Karkardooma Courts, Delhi whereby charge under Section 304-B read with Section 34 IPC, Section 498-A read with Section 34 IPC & Section 406 read with Section 34 IPC is made out against all the accused persons. The alternate charge under Section 306 IPC read with Section 34 IPC has also been made out against all the accused persons for abetment of suicide.

2. The grievance of the petitioner is that alternate charge under Section 302 IPC has not been made against the accused persons.

3. Status report along with the opinion of the Doctor dated 1<sup>st</sup> February, 2016 has been filed which is to the following effect:-

*“After going through PM report No.499/14, FSL report of Viscera, subsequent opinion, inquest papers, copy of FIR & 10*

*(ten) photographs of deceased and scene of crime in police file, we are of the opinion that in this case that the hanging is most likely to be the suicidal in nature.”*

4. In view of the subsequent opinion dated 1<sup>st</sup> February, 2016, learned counsel for the petitioner submits that this petition may be permitted to be withdrawn with liberty to the petitioner to approach the learned Trial Court for amendment of charge, if necessary, after examination of the doctor as prosecution witnesses during the trial.

5. The revision petition is dismissed as withdrawn by granting the liberty as prayed for.

**PRATIBHA RANI, J.**

**MARCH 10, 2016**

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