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

+ W.P.(CRL) 961/2012

NIRMLA PANWAR

..... Petitioner

Represented by: Mr.Haneef Mohammad,
Advocate with Mr.Anil Vyas,
Advocate

versus

STATE GOVT. OF NCT OF DELHI

..... Respondent

Represented by: Mr.Rajesh Mahajan,
Addl.Standing Counsel for the
State

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

ORDER

% **31.05.2016**

1. Learned counsel for the petitioner states that since a charge-sheet has been filed the petitioner desirous not to press the instant petition provided this Court observes that at the time of framing of the charge the issue which the petitioner urges concerning caste of the complainant not being mentioned in the complaint resulting in registration of the FIR nor the petitioner's caste not being disclosed would warrant no charge to be framed is permitted to be urged before the learned Trial Judge.
2. Needless to state, at the time of framing of the charge it would be the duty of the learned Trial Judge to see whether case is made out to frame the charge keeping in view the case law on the subject and Section 3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.
3. So observing and keeping intact the right of the petitioner instant writ petition is disposed of as having been withdrawn.

4. At this stage I note that there was an order directing that the petitioner be not arrested.
5. Said order shall continue for a period of six weeks from today. Since the charge-sheet has been filed the petitioner would avail the remedy of seeking regular bail before the learned Trial Judge.
6. No costs.

PRADEEP NANDRAJOG, J.

MAY 31, 2016

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