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

+ **CRL.M.C. 4477/2014**

GURPREET SINGH

..... Petitioner

Represented by: **Mr.Ishan Rohan, Advocate**

versus

STATE(GOVT OF NCT OF DELHI) & ORS Respondents

Represented by: **Mr.Akshai Malik, APP for the
State with SI Surender Kumar,
P.S.Hari Nagar**

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

ORDER

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07.09.2016

Crl.M.A.No.13944/2015

For the reasons stated in the application order dated August 25, 2015 dismissing the petition filed by the application is recalled.

Application is allowed.

CRL.M.C. 4477/2014

1. The petitioner has sought quashing of FIR No.175/2014 which has been registered for offences punishable under Sections 25/27/59 of the Arms Act as also Section 506 IPC.
2. In the absence of any stay granted to the petitioner concerning investigation, I am informed by learned counsel for the State that the investigation has been completed and the challan has been filed.
3. Arguments on framing of charge have yet to be heard.
4. The origin of the FIR is a feud between the petitioner and his wife,

impleaded as respondent No.2. The third respondent is the mother of respondent No.2. The complainant is respondent No.2. As per her, she was having strained relations with her husband and on the day when the complaint was made to the police he came to the house where she was staying with her mother and younger sister and threatened to shoot her and her mother. He was holding a revolver in his hand.

5. The investigation being complete the challan has been filed, learned counsel for the State states that no revolver was recovered. The investigation brings out that respondent No.2 alleged against her husband that her husband used one Sudhir Sobti to extend threat to her.

6. From the allegations made in the FIR it would not be possible to say a case is made out to quash the FIR and thus while dismissing the petition, I would only request the learned Trial Judge before whom the charge-sheet has been filed to be alive of the fact that a matrimonial dispute seems to have flared up. No firearm was used even as per the complaint except for purposes of intimidation. Whether there is puffing-up of the claim in the complaint needs to be considered properly by the learned Trial Judge, who would be of course alive to the fact that no firearm has been recovered.

7. With the word of caution above, the petition is disposed of.

8. No costs.

PRADEEP NANDRAJOG, J.

SEPTEMBER 07, 2016

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