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

+ W.P.(CRL) 1472/2017 and Crl.M.A. Nos.8145-8146/2017

GOVIND RAJ

..... Petitioner

Through: Mr. Niraj Chaudhry, Advocate with
Mr. A.S. Sharma, Advocate

versus

THE STATE & ANR

..... Respondents

Through: Mr. Rajesh Mahajan, ASC for the
State with W/Insp. Vipush, PS Vijay
Vihar.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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17.05.2017

The First Information Report (FIR) No.467/2017 has been registered on 11.04.2017 on the statement of the second respondent for investigation into offences allegedly committed they being punishable under Sections 376/506 of the Indian Penal Code, 1860 (IPC) of Police Station Vijay Vihar. The petitioner herein is named as the person who committed said offences he having allegedly engaged the second respondent (the first informant) in sexual intercourse on a number of occasions on the false promises of marriage and also having extended threats to kill her by using firearm.

The investigation is still at initial stages. The petitioner has come up with the present petition seeking to invoke the writ jurisdiction of this court under Article 226 of the Constitution of India praying for the FIR to be quashed, his contention essentially being that the allegations in the FIR are

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false and that the second respondent was actually voluntarily moving around with him, having stayed with him in hotels and both parties being in “*live in relationship*”, such physical connection being consensual. He has submitted a number of photographs in support of his contentions.

As noted above, the investigation of the case is still at nascent stages. What the petitioner pleads are his contentions or defences. They will have to be investigated into by the police in the course of investigation that has been undertaken. At this stage, this court cannot return a finding on facts either way. Therefore, no case of quashing is made out.

Petition along with accompanying applications stand dismissed.

R.K.GAUBA, J.

MAY 17, 2017
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