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

+ CRL.REV.P. 597/2018, CRL.M.A. 28074/2018, CRL.M.A.
28075/2018

SHAJI E J

..... Petitioner

Through: Mr. H.R. Dhamija, Advocate.

Versus

STATE (GOVT. OF NCT OF DELHI)

..... Respondent

Through: Mr. G.M. Farooqui, APP for State
with SI Rajendra Dhaka, PS-Rajouri
Garden.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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20.07.2018

The petitioner impugns an order dated 24.04.2018 on the ground that the statement made by the victim under section 161 Cr.PC, does not make out a complaint for the prosecution to pursue the case, therefore, the order should be set aside.

The impugned order has reasoned that it is not for the Trial Court to examine the probative value of the statement. This aspect has to be examined at the later stage. The Court has to see whether at the time of framing of charge, a *prima facie* is made out against the petitioner for proceeding with the trial.

In view of the above, the Court finds no reason to interfere with the impugned order. The petition is without basis and should be dismissed.

However, at this stage, the learned counsel for the petitioner does not press the petition. Accordingly, it is dismissed as withdrawn.

NAJMI WAZIRI, J

JULY 20, 2018
RW