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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3641/2018 & Crl.M.A. No. 28408-409/2018**

CHANDA TRIKHA Petitioner
Through: Mr. Saurabh Hansal with Ms. Pallavi
Sharma, Advocates with petitioner
in person.

versus

STATE(GNCTD) & ORS Respondents
Through: Mr. Mukesh Kumar, APP for State
with SI Upendra Kumar, P.S. N.A.
Nagar.

CORAM:
HON'BLE MR. JUSTICE R.K.GAUBA

ORDER
% **24.07.2018**

The petition at hand is an illustration of complainant trying to give a new twist to the tale thirteen years after she having reported the matter to the police by FIR No.564/2005 alleging offence punishable under Section 509/34 IPC by the private party respondents. A perusal of the FIR would show that the allegations were not specific, not even related to a particular incident. Thirteen years after the said report, while the case is pending trial in the court of Metropolitan Magistrate she, having deposed as a witness for the prosecution, moved an application under Section 311 Cr.P.C. seeking her parents also to be summoned as witnesses “to the incident”. In the FIR, there was no specific incident narrated, rather it was a case of general harassment set out. Nowhere in the FIR would she mention any person other than

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herself to be a witness to the impugned conduct of the private party respondents. The investigating agency also did not dig out any material showing her parents to be privy to any acts of commission or omission.

In these circumstances, dismissal of her application under Section 311 Cr.P.C. by the Metropolitan Magistrate by order dated 04.06.2018 is based on sound reasoning.

The petition and the accompanying applications are dismissed.

R.K.GAUBA, J

JULY 24, 2018

srb

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