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

+ W.P.(CRL) 2656/2016

GOPI CHAND & ORS.

..... Petitioners

Represented by: Mr. Dhruv Joshi, Advocate.

versus

STATE & ORS.

..... Respondents

Represented by: Mr. R.S. Kundu, Additional
Standing Counsel for State and
Ms. Suman Saharan, Advocate
with SI Manjeet Kumar, PS
Fatehpur Beri.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

11.05.2018

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1. By this petition the petitioners seek quashing of FIR No. 490/2015 under Sections 341/354/506/509/34 IPC registered at PS Fatehpur Beri, Delhi and the proceedings pursuant thereto and for appointing a special investigation team to investigate the motive and malafide for filing all the false cases against the petitioners as mentioned in para No.5 of the writ petition.

2. A status report has been filed. As per the status report the above noted FIR was registered on the complaint of 'M' who alleged that on 18th June, 2015 at about 6.00 PM when she was returning to her home from market, the petitioner along with Khilar Singh, Vinay, Vijay, Sukhbiri, Gopichand, Ghoda, Veerpal, Geeta, Kiranpal and Bala came near her and restricted her movement. Thereafter they started abusing her and threatened

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her with dire consequences. After her request they permitted her to move. However, while moving Khilar Singh pushed her breast with intention to molest her in an open place. Thereafter they all fled away in their white colour gypsy. Statement of complainant was recorded under Section 164 Cr.P.C. wherein also she levelled the same allegations. Thus no case for quashing of the FIR in question is made out.

3. Learned Additional Standing Counsel for State submits that though initially draft charge sheet was prepared by the local police however, the investigation has been transferred to DIU, South District. Learned Additional Standing Counsel for State on instructions further submits that against the petitioner, besides the above noted FIR there are three other cases and interse the family there are numerous cases against each other.

4. Considering the nature of allegations and that the investigation is still on and has been already transferred to DIU, South District, no further orders in terms of prayer-B for constituting a Special Investigating Team is also not made out.

5. Petition is dismissed.

MUKTA GUPTA, J.

MAY 11, 2018

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