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

+ **W.P.(CRL) 95/2019**

PUSHPA SHARMA & ORS.

..... Petitioners

Through Mr Shiv Charan Garg and Mr Imran
Khan, Advocates.

versus

STATE (NCT OF DELHI)& ANR.

..... Respondents

Through Mr Avi Singh, ASC with Ms Purnima
Malik, Advocate.
SI Vijay Kumar, P.S. Sadar Bazar.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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02.12.2019

1. The petitioners have filed the present petition, *inter alia*, praying that FIR No. 218/2018 under Sections 354/354-B/509/506/323/324/34 of the IPC registered with PS Sadar Bazar and all proceedings emanating therefrom, be quashed.
2. The learned counsel appearing for the petitioners states that the said FIR has been filed as a counterblast to the complaint filed by the petitioners. He states that there are civil disputes pending between the complainant and the petitioners and the FIR in question is vexatious has been filed and solely for the purposes of falsely implicating the petitioners. He has also drawn the attention of this Court to the statement of the complainant recorded under Section 164 of the Cr.P.C. and states that there is no allegation whatsoever against the petitioners.

3. Mr Avi Singh, learned ASC states that a chargesheet has already been filed and the matter is at the stage of framing of charges. He submits that petitioners have an alternate remedy of opposing the framing of charges against them.
4. The FIR in question does disclose the commission of offences. The question whether there is any material to support the allegations is a separate matter and would be considered by the Trial Court at the appropriate stage. Undeniably, the petitioners have an alternate remedy and therefore, this Court does not consider it apposite to entertain the present petition.
5. In view of the above, the petition is dismissed.
6. It is clarified that all rights and contentions of the petitioners are reserved. The petitioners are not precluded to pray before the Trial Court for the issuance of directions to the investigating agency to undertake further investigations with regard to any document that the petitioners consider relevant.

DECEMBER 02, 2019
pkv

VIBHU BAKHRU, J