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

+ **W.P.(CRL) 279/2019**

TARUN KHATRI

..... Petitioner

Represented by: Mr.Nishant Das and Mr.Vishesh
Wadhwa, Advocates

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Represented by: Ms.Nandita Rao, ASC for the State
for Ms.Kamna Vohra, ASC for the
State and SI Manjeet Kumar, PS
Fatehpur Beri

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **29.01.2019**

Crl.M.A.No.1929/2019

Allowed subject to just exceptions.

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1. By this petition, the petitioner seeks quashing of FIR No.483/2016 under Section 376D IPC registered at PS Fatehpur Beri.
2. Learned counsel for the petitioner contends that no role has been attributed to the petitioner in the FIR itself and moreover in the statement recorded under Section 164 Cr.P.C., there is no allegation whatsoever of rape against any of the accused. The petitioner was not even aware of the FIR till he received a notice under Section 41 Cr.P.C. after two years of

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registration of the FIR and in view of the facts of the case was granted anticipatory bail by the learned Trial Court.

3. Learned Additional Standing Counsel for the State submits that charge sheet has been filed without arrest of the petitioner.

4. In view of the statement of learned Additional Standing Counsel for the State that charge sheet has been filed, learned counsel for the petitioner seeks leave to withdraw the present petition with liberty to take all the pleas raised in the present petition at the time of arguments on charge and to challenge the same in case any adverse order is passed.

5. Leave and liberty granted.

6. Petition is dismissed as withdrawn.

MUKTA GUPTA, J.

JANUARY 29, 2019

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