

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of Order: April 24, 2019

+ **CRL.REV.P. 478/2019 & CRL.M.As. 8568/2019, 8641/2019**

GOURAV & ANR.Petitioners
Through: Mr. Suhail, Advocate.

Versus

STATE Respondent
Through: Mr. M.P. Singh, Additional Public
Prosecutor for State

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

Impugned order of 23rd February, 2019 puts petitioner on trial for the offence under Sections 308/34 of IPC and 325/34 of IPC in FIR No. 308/2016, registered at Police Station Keshav Puram, Delhi.

Learned counsel for petitioners assails the impugned order on the ground that MLC of the injured persons does not specify the nature of injury sustained by them and the presence of petitioners at the spot is not established. It is submitted that petitioners have not been named in the FIR but on the same day, the name of the petitioners have been inserted by way of injured's supplementary statement under Section 161 of Cr.P.C.

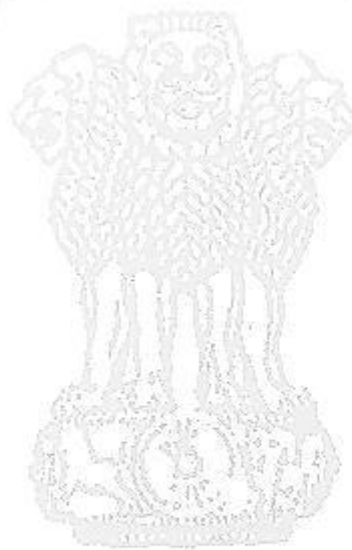
Learned Additional Public Prosecutor for respondent-State supports the impugned order and submits that there is no merit in this petition.

Upon hearing and on perusal of impugned order, I find that the pleas raised on behalf of petitioners are matter of trial and are not required to be prejudged at this initial stage. So, no case to quash the charge under Sections 308/34 of IPC and 325/34 of IPC is made out.

Accordingly, this petition and applications are dismissed, while not commenting on the merits of this case.

APRIL 24, 2019
p'ma

(SUNIL GAUR)
JUDGE



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