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

+ W.P.(CRL) 2410/2019

GYANENDER KUMAR & ORS

..... Petitioners

Through: Mr Hamid Ali, Advocate alongwith
petitioner nos. 1 and 2 are in person.

versus

THE STATE & ANR

..... Respondents

Through: Mr Rajesh Mahajan ASC for State.
Respondent no. 2 in person.
ASI Anil Kumar, PS Bindapur.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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13.09.2019

1. The petitioner has filed the present petition, *inter alia*, praying that FIR bearing No. 820/2014, under Sections 452/354/509/506/323/34 of the Indian Penal Code, 1860 registered with PS Bindapur, be quashed.
2. The said FIR is registered at the instance of respondent no.2. She had alleged that her husband runs a gymnasium. He had found some boys, including one Monu, were consuming intoxicating substance in front of the gymnasium and he had scolded them. At that time, those boys had gone away. She had alleged that thereafter certain family members and friends of Monu including petitioner nos. 1,2 and 3 along with their associates, had come to her house with Lathis and had forcibly entered the house looking for her husband. Her husband was not there at the material time and the accused had then beaten up respondent no.2 and had also torn her clothes. It is stated that she was pregnant at that time.

3. Respondent no.2 was medically examined and it was found that she had suffered a simple injury. The present petition is premised on the basis that petitioners and respondent no.2 have settled their disputes. They, accordingly, pray that the present petition be allowed and the FIR be quashed.

4. Mr Mahajan, the learned ASC appearing for the State states that in addition to the FIR in question, petitioner no. 2 and 3 are also involved in two other FIRs –FIR No. 7/2019 under Sections 354(B)/506/509/323/34 IPC registered with PS Bindapur, and FIR No. 0353/2019 under Section 308/34 IPC registered with PS Bindapur. He contended that similar allegations have also been made in FIR No. 7/2015.

5. A plain reading of the FIR bearing No. 0353/2019 also indicates that the petitioner had allegedly struck the victim with an iron rod. Considering that the petitioners are involved in other FIRs as well, this Court does not consider it apposite to accede to the present prayer to quash the FIR. This Court is of the view that the petitioners are required to be prosecuted to the full extent of the law.

6. The petition is dismissed.

VIBHU BAKHRU, J

SEPTEMBER 13, 2019
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