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

+ **W.P.(CRL) 3238/2019 and CRL.M.A. 40624/2019**

HARSH VARDHAN YADAV Petitioner
Through: Petitioner in person.

versus

STATE Respondent
Through: Ms Nandita Rao, ASC (Criminal) for
State.
Inspector Kanhaiya Lal Yadav, Cyber
Cr. Unit.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **04.12.2019**

1. The present petition has been filed by a minor. He, *inter alia*, prays that directions be issued for quashing the trial in FIR No. 229/2017, under Sections 170/419/467/468/471/120B/34 of the IPC read with 66C/66D/71/74 of the Information Technology Act, 2000, registered with PS Tilak Nagar, which is pending before the learned Judicial Justice Board-II, Delhi Gate, New Delhi.
2. The petitioner appears in person and submits that the charge sheet has been framed without waiting for a complete report. He submits that the report submitted by the police does not qualify to be a police report under Section 2(r) of the Cr.P.C. and, therefore, no proceedings could have been initiated on that basis.
3. The said contention is, plainly, unmerited. It does appear from the

record that the report submitted by the police discloses the offences for which the petitioner is liable to be charged. The cognizance of the same has been taken by the learned Juvenile Justice Board.

4. Ms Rao, learned ASC also submits that the petitioner being a minor cannot be heard to argue his case in person and a guardian is required to be appointed.

5. In the normal circumstances, it may have been apposite for this Court to appoint a guardian/an advocate to represent the petitioner. However, it is seen that the petitioner is articulate and is fully aware of the contentions that he seeks to advance.

6. In this view, this Court has granted the petitioner indulgence to appear in person. This Court is also conscious of the fact that the petitioner, being a minor, is a ward of this Court and this petition has also been examined in that light. However, this Court finds the petition to be wholly unmerited. This court is refraining from making any further observations lest it prejudice the petitioner in the proceedings before the learned Juvenile Justice Board.

7. The petition is, accordingly, dismissed.

8. It is clarified that all the contentions of the petitioner before the learned Juvenile Justice Board are reserved.

9. Order *dasti*.

VIBHU BAKHRU, J

DECEMBER 04, 2019

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