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

+ **W.P.(CRL) 1026/2018**

AKSHAY KUMAR & ORS

..... Petitioners

Through Mr Lokesh Kumar Mishra, Mr Himanshu
Sharma, Advocates.

versus

STATE (GOVT. N.C.T OF DELHI)& ANR Respondents

Through Ms Kamna Vohra, ASC for State.
Inspt. Vinod Kumar, W.SI Rekha, P.S.
New Ashok Nagar.
SI Rekha P.S. NAN.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

O R D E R

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09.10.2019

1. The petitioners have filed the present petition, *inter alia*, impugning FIR No. 576/2017 under Sections 323/341/376/315 of the IPC registered with P.S. New Ashok Nagar.
2. It is reported that the complainant has been absconding and has been declared a proclaimed offender in another case. The learned counsel appearing for the petitioners has also referred to the facts of the present case. He submits that the allegations against the petitioner are, *ex-facie*, untenable. He also submits that the complainant has already married and therefore, her allegation that she has established physical relationships on the premise of marriage is unsustainable.
3. *Prima facie*, the contentions advanced by the petitioners appear

merited, however, this Court is refraining from entertaining the present petition as this Court is informed that a chargesheet has already been filed and the matter is now listed before the Trial Court for framing of charges.

4. Since this Court is informed that a chargesheet has been filed, the Trial Court is requested to consider the chargesheet as well as all the contentions advanced by the petitioners and take an informed view as expeditiously as possible and preferably, within a period of one month from today. The petitioners are at liberty to apply in case the order is adverse.

5. The petition is disposed.

VIBHU BAKHRU, J

OCTOBER 09, 2019

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