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

+ **W.P.(CRL) 1569/2018 & CRL.M.A. 38616/2019 (stay)**

ANUJ AHUJA & ANR

..... Petitioners

Through Mr S.N. Tripathy, Mr s.K. Tiwari,
Advocate with petitioners in person.

versus

STATE (NCT)OF DELHI

..... Respondent

Through Mr Kundu, ASC for State with
SI Rajendra Dhaka, P.S. Rajouri Garden present
(9910827450)

Ms Shreya Singhal, Advocate for R2/complainant.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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21.10.2019

1. The petitioner has filed the present application seeking stay of the proceedings before the Trial Court.
2. The above captioned petition has been fixed for hearing on 07.11.2019. However, the same is being considered as well.
3. The petitioners have filed the above captioned petition, *inter alia*, praying that FIR No. 566/2015, under Sections 323/341/506/34 of the IPC, registered with Police Station Rajouri Garden, New Delhi, be quashed.
4. According to the petitioners, the said FIR was filed as a counter blast in view of other disputes between the petitioners and respondent no.2. Petitioner No. 1 is the brother and petitioner no.2 is the sister of respondent no.2 and it does appear that there are disputes between the said family

members.

5. Ms Shreya Singhal, learned counsel appearing for respondent no.2 (Shweta Ahuja) submits that respondent no. 2 has been evicted from the house of her father, pursuant to an application preferred by him under Rule 22 (3) of the Delhi Maintenance and Welfare of Senior Citizens Rules, 2009.

6. The learned counsel appearing for the petitioners submit that there has been a gross irregularity in registering the FIR in question. He submits that even the *rukka* was prepared after the FIR had been lodged.

7. Mr Kundu, learned ASC appearing for the State submits that a charge sheet was filed and thereafter charges have been framed pursuant to the FIR in question. The petitioners had also preferred a revision petition against the said order framing charges, however, the said revision has also been dismissed.

8. Although, it does appear that the FIR has been filed in view of the disputes between respondent no. 2 and petitioners, this Court does not consider it apposite to examine the said disputes any further in this petition. This is so because the scope of the petition is limited to quashing of the FIR. A plain reading of the FIR does, *prima facie*, indicate commission of offences. It is also relevant to note that the order rejecting the revision petition preferred by the petitioners against framing of charges, has not been challenged.

9. In view of the above, the present petition is dismissed leaving it open for the petitioners to avail of the remedies as available in law. The pending application is also disposed of.

10. The hearing fixed on 07.11.2019 is cancelled.
11. Order *dasti* under the signature of the Court Master.

VIBHU BAKHRU, J

OCTOBER 21, 2019

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